

**EMPLOYMENT RELATIONS
RESEARCH SERIES NO. 103**

Fair Treatment at Work Report:
Findings from the 2008 survey

RALPH FEVRE, THEO NICHOLS, GILLIAN PRIOR
AND IAN RUTHERFORD

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The Fair Treatment at Work Report

Findings from the 2008 survey

BY

RALPH FEVRE, THEO NICHOLS, GILLIAN PRIOR AND IAN RUTHERFORD.

About EMAR

Employment Market Analysis and Research (EMAR) is a multi-disciplinary team of economists, social researchers and statisticians based in the Employment Relations Directorate of the Department for Business, Innovation and Skills.

Our role is to provide the evidence base for good policy making in employment relations, labour market and equality and discrimination at work. We do this through:

- Conducting periodic benchmark surveys
- Commissioning external research reports
- Conducting in-house research and analysis
- Assessing the regulatory impact of new employment laws
- Monitoring and evaluating the impact of government policies

We publicly disseminate the results of this research through the BIS Employment Relations Research Series and other publications. For further details of EMAR's work, including PDF versions of all our publications, please see our web pages at: www.berr.gov.uk/employment/research-evaluation

About this publication

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Executive summary

Collecting over 200 answers from 4,010 current or recent employees across Britain, for the first time a single survey source covers workers awareness of their rights and the support available to them, a comprehensive view of the problems experienced in the workplace and how such problems get resolved.

How aware are employees of their rights at work and the support available?

- 78 per cent of survey respondents feel well or very well informed about their rights generally, a significant improvement from 65 per cent in 2005. There has also been a significant increase in whether respondents feel they know enough about their rights: from 44 per cent in 2005 to 60 per cent in 2008.
- Knowledge that employers have specific legal obligations on a majority of employment rights is high and has increased since 2005, but there are also increases in the percentages of people thinking they have rights when this is not the case.
- Those who have experienced work related problems are less likely to feel they know enough about their individual employment rights – but their knowledge of particular rights is often similar to those who have not experienced problems.
- 85 per cent of respondents claim to know where to find information on rights at work and this is a significant improvement from 76 per cent in 2005. Half of respondents would first seek advice or information on their rights from a workplace source, though in relation to the National Minimum Wage (NMW) they are more likely to go to an organisation outside their workplace (i.e. JobCentre, Citizens Advice Bureau or HMRC).

Who has problems in the workplace?

- Around a third (34 per cent) of survey respondents had had a problem at work. This mainly covered employment rights (29 per cent) in the last 5 years and unfair treatment (13 per cent), discrimination (7 per cent) or bullying/ harassment (7 per cent) in the last 2 years.
- In most cases, the proportion of the sample reporting a problem with a specific employment right at work in the last five years declined, on a comparable basis overall: from 41 per cent in 2005 to 27 per cent in 2008.
- In particular problems fell significantly with; pay (22 per cent in 2005 to 10 per cent in 2008), hours/days required to work (12 per cent to 6 per cent); rest breaks (13 per cent to 5 per cent) and annual leave (13 per cent to 5 per cent).

- Most reported unfair treatment and discrimination was not related to the equal opportunities legislation in force at the time of this survey. It also fell outside the employment rights framework.
- There seemed to be have been no decline in the numbers reporting sexual harassment (around 1 per cent of the sample) since 2005 and little change in the numbers reporting bullying and harassment (the one percentage point rise was not statistically significant).
- The following workplace, job and individual characteristics were more likely to experience problems at work; those in workplaces without an equal opportunities policy, trade union members, those with more than one job and those with a disability or long term health condition. Gender and sexual orientation were significant to bullying and harassment.

How are problems resolved?

- About two thirds of those who had a most serious problem stated this was 'now over' or 'most likely over' at the time of the survey. Similar results were found in 2005.
- About 8 months is the mean time taken to resolve a problem, which is a slight increase from 6 months found in the 2005 survey. The median time taken is 3 months because the distribution is skewed heavily by a minority of problems taking longer to resolve.
- The majority of respondents (72 per cent) sought some kind of advice or information for their problem: 46 per cent contacted a single source for information while 54 per cent contacted more. This is a significant increase when compared with the 2005 results (on a comparable set of problems) when only 53 per cent did this.
- Respondents were asked whether they tried to resolve the problem in five ways. The most common action was to discuss the issue with their employer (66 per cent) and the least common was making an application to an Employment Tribunal (3 per cent). The other actions in rank order were as follows: try to resolve informally (52 per cent), have a formal meeting (33 per cent) and put the issue in writing (29 per cent). Those who did not seek any information or advice were less likely to take any of these actions.
- Almost 90 per cent of those with a most serious problem took some form of either information, advice or action to resolve their problem. About two thirds took information or advice and action, while 16 per cent took action to resolve their problem but not any information or advice and 7 per cent took information and advice but not action.

1 Introduction

In January 2008 the Department for Business, Enterprise and Regulatory Reform, BERR (now Business, Innovation and Skills, BIS) commissioned a major new social survey, the 2008 Fair Treatment at Work Survey (FTWS) collecting over 200 answers from 4,000 current or recent employees across Great Britain. For the first time a single survey source covers workers' awareness of their rights and the support available to them, a comprehensive view of the problems experienced in the workplace and how such problems get resolved.

BIS's responsibilities for policy and research on employment relations are wide-ranging and continuously evolving and this new survey is designed to assess how well existing policies are working, what more needs to be done and to investigate the nature and extent of vulnerable working amongst British employees. The new survey combines two earlier surveys; the 2005 Employment Rights at Work Survey (ERWS) and the 2005 Fair Treatment at Work Survey (FTWS).

In the case of the 2005 ERWS, this followed and improved upon the 2000 Awareness, Knowledge and Exercise of Individual Employment Rights Survey. These surveys were mainly concerned with awareness and knowledge of employment rights and sources of information and advice. They also included some questions on employees' experience of problems at work and how these might be remedied.

The 2005 FTWS was commissioned in response to the need, identified in The Cabinet Office Strategy Unit's Ethnic Minorities in the Labour Market report (2003) for more research and monitoring of race discrimination in employment. The survey gathered information on employees' perceptions of unfair treatment at work, both personally and of others at work. It covered all six strands of the equalities jurisdictions (sex, race, disability, sexual orientation, religion and belief and age). The survey also asked employees about their experiences of bullying and sexual harassment in the workplace.

The new survey covers all of the areas investigated in the three previous surveys and expands into issues around vulnerable workers. Comparisons are easily made between this survey and the 2005 ERWS, as both were conducted on a broadly similar basis. However, the basis for comparison with the 2005 FTWS is more tenuous because the underlying sampling methodology is so different. Information for this survey was collected through face-to-face interviews with a representative population of current and recent employees between September and December 2008 with a response rate of 57 per cent.

2 Employment rights framework

Within its wider remit, BIS has responsibility for the government's employment relations strategy, policy and legislation. The environment for these activities – in the economy, the labour market and the workplace – is complex and fast-changing, and so is the nature of BIS's responsibilities. Moreover, there are many aspects of these activities where responsibility for government strategy, policy and legislation is shared with other government departments and/or falls within the remit of the EU.

2.1. Legislative framework

The last decade has seen a significant expansion in the range of employment rights covering employees and workers. Building on established employment rights such as unfair dismissal, the Wages Act, redundancy payments, breach of contract and sex, race and disability discrimination jurisdictions, individual employment rights coverage has been extended piecemeal to cover such matters as working time, national minimum wage, paid annual leave, and work and families matters. In response to European equality directives, anti-discrimination law were extended to cover sexual orientation (2003), religion and belief (2003) and age (2006).

The Department of Trade and Industry (now BIS) published *Success at Work* in 2006 in order to set out government thinking on the policies needed to move more people into the employment mainstream where, it is believed, their life chances are considerably improved¹. The strategy was based on a number of assumptions, for example that industrial relations are fundamentally sound, the UK labour market is dynamic and government policies will bring more and more people into work.

Another key assumption was that the employment rights framework has been improved by the introduction of new rights. Nevertheless, *Success at Work* acknowledged that, despite the individual rights that have been introduced since 1997, there were still some employees who were vulnerable. The next priority for government policy was to make sure 'that the most vulnerable workers get those rights and are not mistreated, but instead get the opportunity to progress'.

2.2. Institutional framework

In the UK, the enforcement of individual employment rights is mainly predicated upon employees' and workers' awareness and knowledge of their employment rights and their preparedness to take action to maintain and enforce those rights. In the absence of trade union presence and recognition by employers, employees and workers have to rely on their own initiative to enforce their rights when they perceive that they are being breached or infringed. BIS therefore places great importance on raising the level of awareness amongst employees and workers (and employers) about their employment rights, sign-posting where to go to get information and advice

¹ DTI (2006) *Success at Work Protecting Vulnerable Workers, Supporting Good Employers*

and what to do when their employment rights have been infringed; including, as a last resort, making a claim at an employment tribunal.

Whilst most rights are for the individual to take forward, government takes a direct role in enforcing the following key rights and related legislation:

- The national minimum wage (and the equivalent for the agricultural sector)
- The right not to have to work more than 48 hours a week (on average)
- Health and safety legislation
- Rules governing the conduct of employment agencies
- Rules governing the conduct of licensed gangmasters

Enforcement of this subset of rights and related protections is the responsibility of the five enforcement bodies set out in Chart 2.1.

Chart 2.1 Government enforcement bodies

Enforcement body	Rights and legislation enforced
HM Revenue and Customs	National Minimum Wage (on behalf of BIS)
Department for Food and Rural Affairs (Defra)	Agricultural Minimum Wage
Employment Agency Standards Inspectorate (part of BIS)	Employment agency standards
Gangmasters Licensing Authority – an NDPB ¹ sponsored by Defra	Gangmaster licensing standards
Health and Safety Executive – an NDPB sponsored by DWP	Health and safety and working time ²

Source: BIS's Vulnerable Worker enforcement forum – Final report and Government conclusions

Note: 1 Non-departmental public body

2 Enforcement shared with local authorities and specialist regulators for some sectors

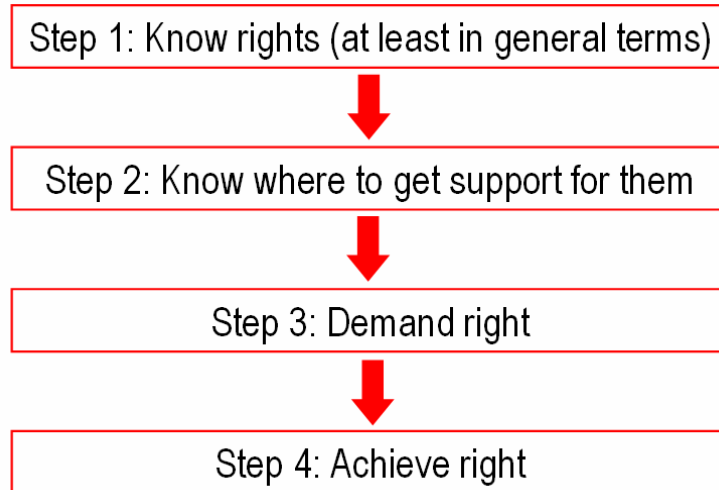
The enforcement bodies have a two pronged strategy for securing compliance with the law. First, there is an emphasis on ensuring that both workers and employers are aware of the law and where to seek further advice. Secondly, provision is made to enforce these rights in the case of breaches. Promotional activity is carried out to inform workers of their rights, while the Pay and Work Rights helpline, initially launched in May 2009, provides further advice and access to enforcement mechanisms. It also provides access to a translation service so that it is accessible to migrant workers, and accepts anonymous calls.

Free advice on employment matters is available from a number of government and non-government sources. The Advisory, Conciliation and Arbitration Service (Acas) national number, for example, provides telephone advice on all aspects of employment law, and about the employment tribunal process. The Pay and Work Rights Helpline provides information and access to enforcement in relation to the Government enforceable employment rights highlighted in the table above. Comprehensive online advice is available for workers and for business from www.direct.gov.uk/employment and www.businesslink.gov.uk/employingpeople. Citizens Advice Bureau can provide face to face advice.

2.3. Evaluating the framework

Overall the individual employment rights framework consists of a series of sometimes explicit and sometimes implicit assumptions, which may be presented as a four step model for the activation of rights at work (Chart 2.2).

Chart 2.2 Four-step employment rights model



Step 1 requires that while workers do not need to know about the law in detail they do need to be aware of their rights. Step 2 requires that they know where to get support.

In June 2007, the government set up a Vulnerable Workers Enforcement Forum to look at the nature of employment rights abuses, assess the effectiveness of the current enforcement arrangements and identify possible improvements. Some of the recommendations from the Forum published in August 2008 were around raising awareness of basic employment rights; streamlining vulnerable worker access to the enforcement bodies; closer working between the enforcement bodies; that enforcement and compliance is not just for government; that there should be improved advice and guidance for business; and further research on these issues. This survey is a key piece of the research listed to baseline current trends and helps develop future policy on vulnerable workers and the employment rights framework.

One of the most basic aims for research was to assess the relative vulnerability of different groups of employees². There is still some debate about the definition of 'vulnerability' and the identification of 'vulnerable workers'. *Success at Work* is subtitled 'protecting vulnerable workers, supporting good employers' and suggests equivalence between the minority of non-compliant employers and the minority of vulnerable workers. Workers are seen as vulnerable because their bad employers do not observe

² Vulnerable Workers Enforcement Forum – Final Report and Government Conclusions, Annex 3 – Improving the evidence base on worker vulnerability – BIS's Research Programme, pp. 48-9

employment rights. The workers lack the awareness of their rights and knowledge of the support and information available to make the individual employment rights framework work for them.

The Vulnerable Worker Enforcement Forum modified the emphasis on vulnerability as relative powerlessness and the risks this creates of poverty and injustice. Its general thrust was close to the *Success at Work* formulation in which powerlessness had to be combined with a non-compliant, or exploitative, employer to result in vulnerability. The new survey gives us the opportunity to analyse people's experiences of employment relations in order to explore the evidence for all of these different approaches to defining vulnerability and vulnerable workers.

The data that the survey provides on outcome measures for government strategy can be related to people's experiences of the components of the individual employment rights framework discussed above. But the survey also sheds light on other influences on outcome measures such as measures of awareness and people's perceptions of unfair treatment and discrimination. In the case of the latter, basic information on people's experience of employment relations helps us to understand what people define as unfair treatment and how they know that it has occurred. This level of analysis is perhaps less obvious but it is fundamentally important to our knowledge of the way the individual employment rights framework functions, and is perceived to function, not least because greater awareness of employment rights may increase the perception of unfair treatment. The combination of employment rights and fair treatment questions in a single study gives a good opportunity to measure these effects.

2.4. Survey methodology

The Department for Business, Innovation and Skills (BIS) commissioned TNS-BMRB and Cardiff University to undertake a survey to update findings from the 2005 Fair Treatment at Work Survey (FTWS) and the 2005 Employment Rights at Work Survey (ERWS).

The main aims of the 2008 FTWS were:

- To assess people's general awareness of their rights at work and to see how this has changed since the ERWS
- To determine knowledge about specific rights at work (the National Minimum Wage and holiday entitlement)
- To find out which sources of advice people would use to find out about their rights at work in general and to find out about the National Minimum Wage
- To measure the proportion of individuals that has had problems at work in the last five years
- To determine how people go about resolving the most serious problems which they have had.

The survey sample was designed to be representative of adults aged 16 or over living in private households in Great Britain, who were either currently in

paid work (excluding self-employed) or who had been in paid work in the last two years.

The sample used a multi-stage random probability design and the small user Postcode Address File (PAF) as the sample frame. The initial sample was selected to be representative of the general population. Screening was carried out by interviewers to identify eligible respondents (those who were currently in paid work (excluding self-employed), or who had been so in the last two years). In households where more than one adult was eligible, a single adult was chosen at random to take part in the survey.

The 2008 FTWS questionnaire was based on those used in the previous surveys, although the content was reviewed and revised by the research team and BIS. The questionnaire was structured into the following sections:

1. Selection module and screening
2. Awareness of employment rights
3. Knowledge of specific employment rights
4. Sources of information/advice
5. Experience of problems at work
6. Most serious problem at work and dispute resolution
7. Job and employer characteristics
8. Socio-demographics and other individual characteristics
9. Paper self completion questionnaire

In order to keep the interview to the target length of 45 minutes, randomisation was added into the script meaning that each respondent was randomly asked two out of the three following sections; 2, 3 and 4. In effect, this means that around two-thirds of respondents were asked each of these sections. Face-to-face interviews were carried out by TNS-BMRB's interviewer field force, using computer-assisted personal interviewing (CAPI). Fieldwork took place from September to December 2008, and 4,010 people were interviewed at a 57 per cent response rate. Two stages of pilot work were carried out before the main fieldwork stage – a small-scale cognitive testing stage, and a larger scale quantitative pilot.

Survey results were weighted to correct for the unequal probabilities of selection introduced by selecting one dwelling unit for interview from all eligible dwelling units at the sampled address, and by selecting one eligible adult per household to interview. Non-response weights were also applied following comparison with Labour Force Survey data. Weights were applied by age within sex within Government Office Region.

This report makes extensive use of regression analysis, or multivariate analysis as referred to in this report, to explore the relationships between variables in more depth. The data was analysed through a series of logistic regression models. Logistic regression is a form of statistical modelling that is often appropriate for categorical (0, 1) outcome variables. It describes the relationship between a categorical response variable, the *dependent variable*, and a set of explanatory variables, the *independent variables*.

A common problem with questionnaire research is that not all respondents answer all questions - either due to "Don't know" answers or routing of the questionnaire. This creates a problem in modelling any respondents with missing answers. These are removed from the analysis and so the base when all possible independent variables are included is a lot smaller than the total possible base. In order to mitigate this as much as possible the below process was followed:

1. The first stage was to put each independent variable into the logistic regression model by itself to see which of them had any relationship with the dependent variable. This also showed how important each independent variable was in the overall fit of the model.
2. The second stage was to create three group models (i.e. labelled models 1, 2, and 3). The independent variables were put into three groups and each group was analysed separately using a multiple logistic regression model and a stepwise selection technique. The three groups were: national and workplace characteristics; job characteristics; and Individual characteristics.
3. The third and final stage was to put together the significant independent variables from each of models 1, 2, and 3 into the final model (i.e. labelled model 4) again using stepwise selection.

The tables included for each regression analysis in Annex B show the significance of each independent variable in the single variable logistic regression models, then the significance of each independent variable in the group models, together with significant odds ratios; finally the significance and significant odds ratios of independent variables in the final model. A classification table is included afterwards for the final model(s), showing the percentage of what is observed in the data is correctly predicted by the final model.

Full details of the survey methodology and copies of the survey instruments are included in the Fair Treatment at Work Survey 2008 Technical Report which is published alongside this report.

2.5. Structure of the report

The findings from the survey are presented in three main parts:

Part 1: Awareness of employment rights at work and the support available

- **Chapter 3** looks at awareness and sufficiency of knowledge in general terms, the importance attached to knowing about specific rights, knowledge of employers' legal obligations and on the detail of the law (in the case of NMW and paid annual holiday entitlement).
- **Chapter 4** looks at whether respondents know where to find information on their rights and NMW in particular, who they would contact first and subsequently as well as their knowledge of national organisations that provide advice and information on employment rights.

Part 2: Problems encountered in the workplace:

- **Chapter 5** introduces the main problems at work captured in the survey; looks at those who have experienced any problem at work, those with multiple problems and the most common combinations.
- **Chapter 6** summarises headline results by each main category of problem: with employment rights, unfair treatment/ discrimination, bullying/ harassment, sexual harassment, negative behaviour, other problems and the most serious problem as reported by respondents.
- **Chapter 7** looks in more detail at how different workplace, job and individual characteristics relate to the prevalence of problems with specific employment rights.
- **Chapter 8** as above, but for problems with unfair/ discrimination.
- **Chapter 9** as above, but for problems with harassment, bullying and negative behaviour.

Part 3: How and through what means are problems resolved:

- **Chapter 10** looks at the respondents most serious problem(s) at work and explores whether these are over, how long they took to resolve and what was the final outcome.
- **Chapter 11** continues with the same problems and considers what information or advice was sought on the problem, what action was taken to resolve the problem, what lessons were learnt and what might they have done differently to resolve the problem.

3 Awareness and knowledge of individual employment rights

An earlier report in this series, the *2000 Survey of Awareness, Knowledge and Exercise of Individual Employment Rights* (paragraph 2.1.1.), distinguished between 'awareness' and 'knowledge', where:

- 'Awareness' was held to entail that an individual is sufficiently informed about a subject for him/her to be conscious of its existence and its broad subject matter. In this sense, awareness of an employment right or legislation implies that the individual had heard of it and had some idea of the area of working life to which it relates
- 'Knowledge' was held to entail that an individual has a theoretical or practical understanding of a subject. In this sense, knowledge of an employment right or piece of legislation implies that the individual could demonstrate some understanding of the detailed provisions of the legislation.

Following this lead, the present chapter further distinguishes several different aspects of awareness and knowledge about rights at work:

- The general level of information that people feel they have about their rights at work (Section 3.1.1)
- Whether they think that they know enough about such rights (3.1.2)
- Whether they know about the existence of rights in particular areas (for instance whether there is a legal obligation on the employer to provide annual paid holidays) (3.2)
- How important it is for them personally to know about the law in particular areas (3.3)
- Whether they feel they know as much as they need about the detail of rights in particular areas (3.4)
- Whether they do know about the detail of rights in particular areas (for instance the actual number of days paid holiday for a full time employee) (3.4.1 and 3.4.2)

This chapter begins by considering the evidence from the 2008 survey on the first two aspects listed above and it compares these to the situation revealed by the 2005 Employment Rights at Work Survey (ERWS). It then proceeds to consider the evidence on the other aspects in sequence. Broadly speaking the chapter moves from awareness to knowledge, from the general to the particular and from the subjective and evaluative to the objective.

As noted in Chapter 2, three sections of the survey were rotated at random to maintain a certain interview length. This meant a respondent was asked two of three sections on awareness of employment rights; knowledge of specific employment rights and sources of information/advice in every interview. This means two-thirds of the total sample (4,010) were asked questions on the areas covered in Chapters 3 and 4.

3.1 General awareness

In considering the above questions attention is drawn to particular factors that bivariate analysis of the standard breaks suggests may be particularly important in relation to rights awareness. In the case of the general level of information that people have about their rights at work and whether they think they know enough about such rights, regression analysis is conducted to assess whether particular variables still show significant differences when the effect of others is controlled for.

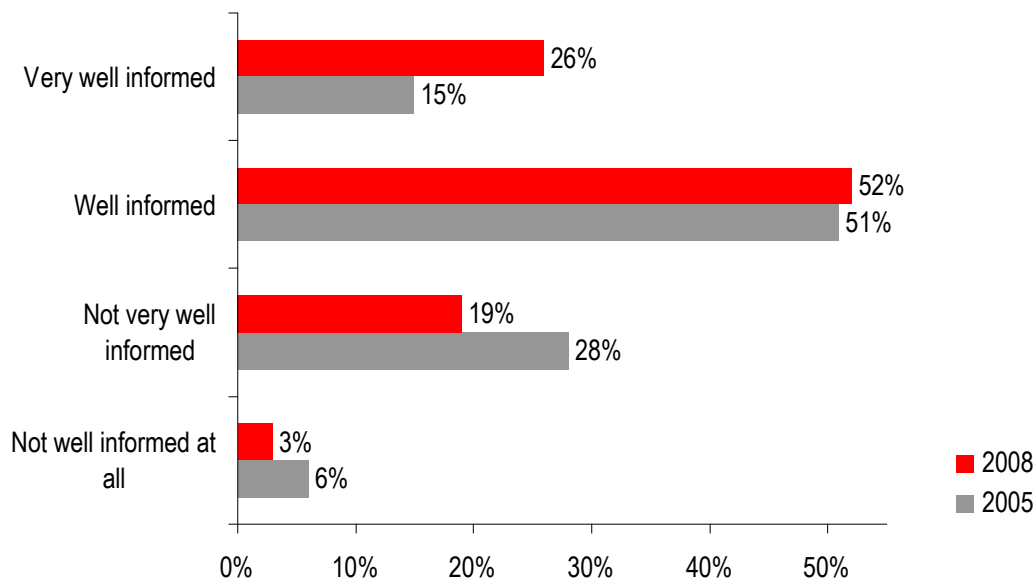
3.1.1 Awareness levels

The present survey attempts to assess the level of general awareness of employment rights by asking:

'Very generally, how do you feel about your rights at work?'

78 per cent of respondents answered they felt they were 'very well informed' or 'well informed'. This marks a significant improvement from 65 per cent of employees who took this view when asked the identical question in the 2005 Employment Rights at Work Survey (ERWS) and it clearly out-performs the Government's general awareness target of 69 per cent³. Moreover, about a quarter of respondents now count themselves as 'very well informed'. As against this, over one in five still report that they do not feel well informed (Chart 3.1).

Chart 3.1 Awareness of employment rights, 2005 and 2008

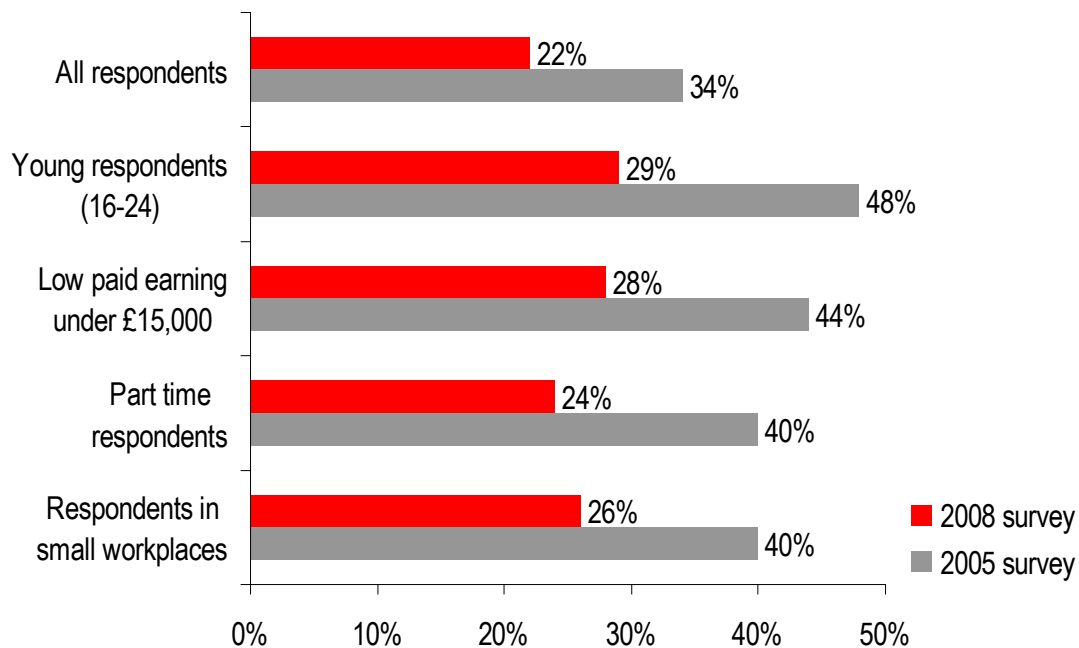


Source: BIS's FTWS 2008; Employment Rights at Work Survey (ERWS) 2005: 19;
Base: In 2008, all respondents that were asked Q2.2 (weighted = 2690; unweighted = 2667)

3 BIS website: http://www.berr.gov.uk/aboutus/corporate/performance/performance_Framework/page43603.html

The results of the 2005 ERWS were considered by the *Vulnerable Worker Enforcement Forum* whose report drew attention to the fact that the perceived lack of awareness was higher than average for certain groups of respondents who are sometimes regarded as more vulnerable (*Vulnerable Worker Enforcement Forum* 2008: 15, Table 7). The percentage of those in all the groups to which the Forum referred who regarded themselves as not very well informed or not well informed at all about rights has fallen between 2005 and 2008 (Chart 3.2).

Chart 3.2 Those not very well informed or not well informed by selected ‘vulnerable groups’, 2005 and 2008



Source BIS's FTWS 2008; ERWS 2005
 Unweighted base: In 2008, all respondents that were asked Q2.2 and who answered 'not well informed at all' or 'not very well informed' (2667); Young respondents (306); Low paid (914); Part time (670); Small workplaces (466)

The results of a bivariate analysis of how employees with different characteristics felt about their rights in 2008 are reported in Table B3.1. This presents information with respect to three sets of characteristics – national/workplace characteristics; job characteristics and individual characteristics. It can be seen that it is rare for any particular group to fail to reach the overall average 65 percent for those claiming to be very well or well informed in 2005. But significant differences remain between those with different characteristics.

National and workplace characteristics, there are no English/Scottish/ Welsh differences once the 'well informed' and 'very well informed' categories are combined (the practice is followed below that only significant differences are reported). A number of sometimes interrelated workplace level characteristics, all of which might be thought to be features of more 'corporate' forms of organisation, are associated with high levels of reported awareness – large workplace size in terms of employees, public ownership, trade union recognition, the existence of a HR/Personnel department and the existence of an equal opportunities policy. Lower levels of feeling informed are associated with smaller workplaces, private ownership, non recognition of trade unions,

the absence of a HR department and of a written equal opportunities policy. Only broadly defined industries can be distinguished on our sample but it is clear that respondents in distribution, hotels and catering are significantly less likely to feel well or very well informed than is the case in banking, finance and insurance or public administration, education and health.

The importance of employers for whether employees feel well informed about their rights is strongly suggested by some additional attitudinal data. Respondents were asked:

'How seriously do you think your employer takes your employment rights?'

Over nine out of ten respondents who answered that they thought their employer took their rights 'very seriously' thought themselves 'very well informed' whereas fewer than four out of ten who thought their employer did not take their rights 'very seriously' or 'not seriously at all' thought this.

Job characteristics, higher levels of awareness include those that relate to the occupancy of higher level positions - the performance of a management or professional job, performing management or supervisory duties, having higher annual earnings, holding higher level academic qualifications; and in consonance with the presence of 'corporate' features at the level of workplace, equal opportunities training and trade union or staff association membership. The absence of these characteristics usually signifies lower levels of awareness. Those who are less aware include routine and manual workers, those not performing supervisory duties, the lower paid, those with lower level academic qualifications or none, non trade union members, those who have more than one job and those who have not experienced equal opportunities training.

Both part time work and temporary work are sometimes regarded as indicators of precarious employment (Standing 1997) but as far as feeling informed about rights is concerned the significant difference is between those who are permanent and those who are not, who have a lower level of awareness. More detailed analysis of agency workers, who constitute over a quarter of those in the non-permanent category, indicates that they are even less likely to feel well or very well informed than non permanent respondents in general (57 per cent feel this compared to 66 per cent of all non permanent workers and 78 per cent for permanent workers). However, agency workers are only 2 per cent of the total sample and this result is not statistically reliable. Those who have more than one job are also less likely to feel well or very well informed.

Individual characteristics, older workers think they are better informed (and compared to those with long periods of service, respondents who have been in the job for a year or less believe themselves to be less well informed).

Of the other standard individual characteristics non Christians (an unsatisfactory mixed category that is a function of low numbers) feel themselves not well informed or not very well informed at all compared to Christians.

Overall, lower levels of awareness are most evident amongst those who might be thought to have the greatest need to be well informed about their rights – including people who actually experience problems, the lower paid, the non-unionised and those on non permanent contracts.

We progress to multivariate analysis from the basic bivariate analysis conducted so far which has suggested variables that might affect awareness; for instance, large size of workplace and the existence of HR departments. These two characteristics might be related however (Kersley et al 2006), as might other variables and it has not been possible to distinguish separate influences when other variables are taken into account. Here, given that the premise of the individual employment rights framework is that employees need a general awareness of their rights, the attempt is made to go further and to use logistic regression to examine which variables are related to general rights awareness (whether respondents feel themselves very well or well informed versus not well or not very well at all informed) when other variables are held constant.

Multivariate analysis in Table B3.2 is conducted with respect to three sets of characteristics: National and Workplace, Job and Individual characteristics. This yields information at each level which can answer questions such as the one posed above. Significant results from these three models then serve as the basis from which to produce a final model, see section 2.4 for a more in depth interpretation of the outputs in Table B3.2 and Table B3.3; and a description of the regression method used.

National and workplace characteristics, multiple regressions of the seven independent variables in this category indicates that three of them are significant –whether there are recognised trade unions in the workplace and whether there is an equal opportunities policy (Model 1). In other words, these variables have significant relationships even after controls for the presence of each other and for national differences, public/private/third sector and so on.

Job characteristics, multiple regressions of the chosen job characteristics indicates that all of them, except occupation and full time/part time, are significant (Model 2). The less well informed respondents are those who do not perform supervisory duties, who do not have permanent jobs, who perform more than one job, who have not benefited from equal opportunities training, who are not trade union or staff association members, who have short periods of service and low earnings. These characteristics are closely in line with those often instanced as evidence of vulnerability (TUC 2006, 2008).

Individual characteristics, several of the variables at this level that are often associated with individual employment rights discourse are not significant. These include sex, sexual orientation, country of birth, ethnicity, disability, religion; and also dependent children living in the household, which was significant in the 2005 ERWS report, (Model 3). Both age and highest level of academic attainment have a positive impact, whereas those who experience problems at work are significantly less likely to feel that they are well informed.

The final multivariate logistic regression presented in Model 4 brings together a selection of the variables reviewed above in each of the three sets of characteristics. Several comments arise.

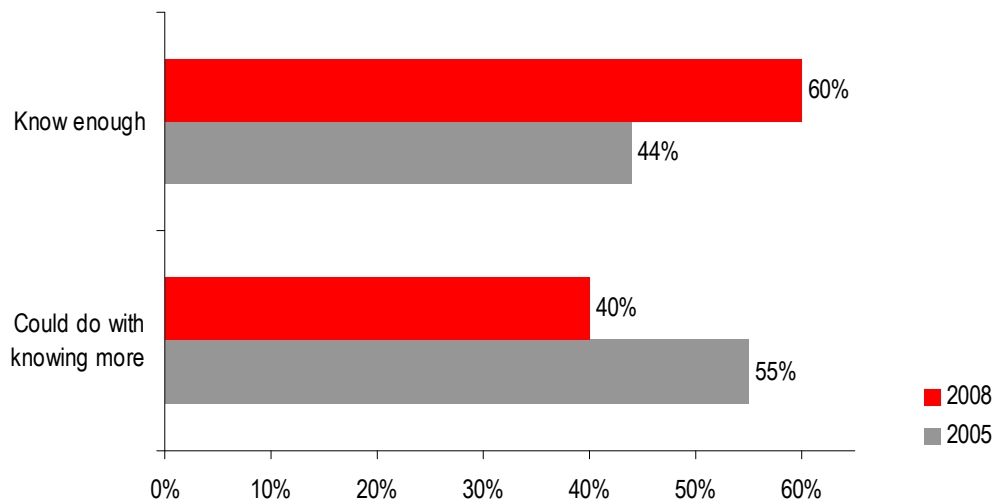
- **Trade union recognition.** The 2005 ERWS did not investigate the relation between trade union recognition and how well people feel informed about their rights. The finding that those employed in workplaces with trade union recognition are 40 per cent more likely to feel well informed or very well informed suggests the importance of collective and not only individual resources for levels of awareness about individual rights.
- **Equal opportunities policy.** The fact that respondents in workplaces with such a policy were nearly 90 per cent more likely to feel well informed underlines that management (and other service providers) can play an active part.
- **Management and supervisory duties.** Those who perform management and supervisory duties are 90 per cent more likely to feel well informed about their rights which suggests the importance of being part of or close to management, and thus to organisational resources.
- **Permanent job.** Model 4 suggests that when other variables are controlled it is the permanent / non permanent distinction (rather than that between full and part time work) that is significant for this indicator of employee awareness of rights.
- **Equal opportunities training.** Again this is something that was not investigated in 2005 ERWS. Those who have received such training are twice as likely to feel well or very well informed.
- **Problems at work.** Both the 2000 Survey of Awareness, Knowledge and Exercise of Individual Employment Rights and 2005 ERWS found that having experienced problems at work is associated with feeling that employment rights are not well understood. This result is confirmed, with the advantage of a more thorough regression analysis and a larger sample. Those who have experienced problems are only about a third as likely to feel that they are, in general, well or very well informed.

3.1.2 Perceived sufficiency of knowledge

In order to assess whether respondents think they know as much as they need to about their rights they were asked:

'Do you know as much as you need to know about your rights at work or could you do with knowing more about your rights at work?'

The same question had been asked in the 2005 ERWS and, as was the case with awareness of rights at work, there has been a significant improvement. In 2005, 44 per cent of respondents had replied to this general question that they knew as much as they needed about their rights at work. In 2008 this had risen to 60 per cent (Chart 3.3).

Chart 3.3 Sufficiency of knowledge, 2005 and 2008

Source: BIS's FTWS 2008, ERWS 2005: 24

Base: In 2008, all respondents that were asked Q2.3 (unweighted = 2,667; weighted = 2,690)

Differences remain but the improvement was widespread. For instance, in 2008, those earning under £15,000 were almost as likely to say that they knew as much as they needed as those who earned over £40,000 had done in 2005 (53 compared to 55 per cent). Similarly, in 2008 the percentage of private sector respondents who thought they knew enough about their rights at work (57 per cent) exceeds the level for those who had thought this in the public sector in 2005 (53 per cent).

A more extensive bivariate analysis of respondents' views on the sufficiency of their knowledge about rights in 2008 (Table B3.4) reveals a familiar picture.

National and workplace characteristics, respondents in workplaces with corporate resources (see Glossary in Annex A) are more likely to feel they know as much as they need to. Those who lack such characteristics are likely to feel that they could do with knowing more – these include those who are employed in smaller workplaces, those in the private sector, those whose workplaces do not recognise trade unions and those who have no HR departments and which do not have written equal opportunities policies. Respondents were significantly more likely to feel that they could do with knowing more about their rights in distribution, hotels and restaurants, transport and communication and construction whereas the highest proportion of those feeling that they know enough about their rights is to be found in banking, finance and insurance.

Job characteristics, higher proportions who feel they know as much as they need to were found in managerial and professional occupations, those performing managerial or supervisory duties, those with the highest salaries, trade union and staff association members rather than those without representation and those who have received equal opportunities training. Those outside these corporate arrangements and those with shorter periods of service are more likely to feel they could do with knowing more. Prominent

amongst those who feel they could do with knowing more are non permanent employees, half of whom feel this, as do those who have more than one job.

Individual characteristics, older workers are more likely to feel that they know enough compared to younger ones (as are those who have longer service). Those at the top of the hierarchy of academic qualifications, who have higher / postgraduate qualifications, are more likely to feel that they know enough compared to all others including those who have no academic qualifications. There is no difference between those born in and outside the UK but BME / other respondents are less likely than whites to feel that they know enough, as with religion this sociologically unsatisfactory categorisation is a function of low numbers.

Among those who are most likely to think that they need to know more about their rights are people who actually experience problems, over half of whom feel that they could do with knowing more; non permanent workers, half of whom feel this; and those who have a long standing illness or disability, just under half of whom feel this. Other groups that feel they could do with knowing more include the low paid and young workers; also those who have not received equal opportunities training.

The results of multivariate analysis in Table B3.5 on whether respondents think that they know enough followed the same method as the one reported earlier for whether they feel well informed. Again see section 2.4 for a more in depth interpretation of the outputs in Table B3.5 and Table B3.6; and a description of the regression method used.

The results in the final model (Table B3.5 Model 4) differ in several respects. In the final model for whether respondents know enough two of the corporate characteristics that appeared in the equivalent model for whether respondents feel well informed (trade union recognition and the presence of a written equal opportunities policy) do not appear. They are replaced by the difference between public and private ownership. Public sector employees are almost 70 per cent more likely to think they know enough as do those in the private sector. Having one job rather than more than one, having a permanent job and receiving equal opportunities training are all positively associated with respondents feeling that they know as much as they need about their rights at work. Level of educational qualification has a positive effect on whether respondents feel that know as much as they need as does being white rather than BME/other, whereas respondents who have experienced problems at work are only one third as likely to feel that they know as much as they need as those who have not.

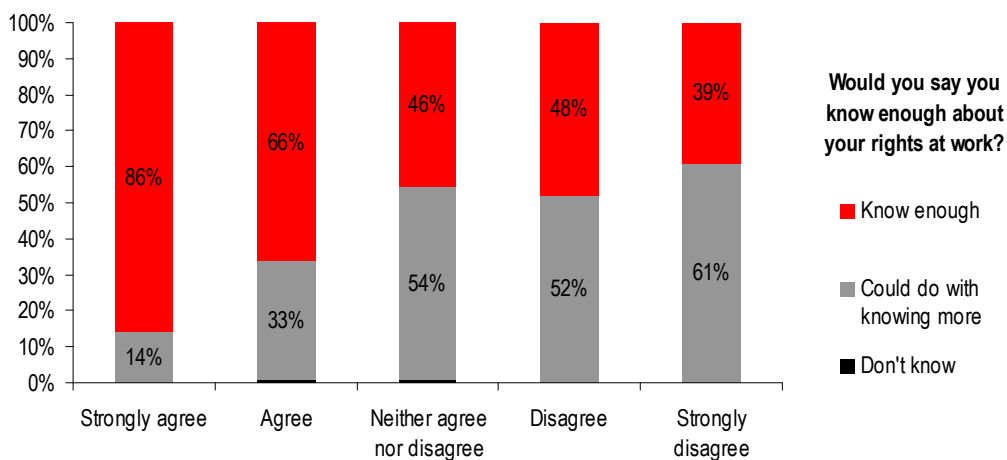
In considering how well respondents feel themselves to be informed about their employment rights, it was found that those who thought their employer took their rights seriously were more likely to think themselves well informed. Perception of the employer also enters into respondents' views on whether they feel their knowledge of employment rights is sufficient.

Attitudinal variables have not been included in the regressions in this chapter because it was considered more useful from a policy point of view to examine more objective indicators. However, respondents were asked whether they agreed with the statement:

“I don’t need to know much about my rights at work because my employer acts reasonably.”

Of those who strongly agreed that they did not need to know much about their rights at work because their employer acted reasonably nearly nine out of ten thought they knew as much as they needed. Just less than four out of ten of those who strongly disagreed reported that they knew as much as they needed (Chart 3.4).

Chart 3.4 Sufficiency of knowledge against whether employer acts reasonably, 2008



I do not need to know much about my rights at work because my employer acts reasonably

Source: BIS's FTWS 2008

Unweighted base: All respondents that were asked Q2.3 and Q2.4; Strongly Agree (370); Agree (1144); Neither agree nor disagree (395); Disagree (591); Strongly Disagree (154)

The relation between whether respondents think their employer is reasonable and whether they feel they know enough about their rights underlines the contingent nature of the belief that ‘enough’ is known and the importance of perception of the employer.

3.2 Knowledge of employers’ legal obligations

Employees may be in error about how much they need to know about their rights and indeed about how much they do know. This makes it important to consider not what people think they know, and not whether they think they know enough, but what they do know. This and the following sections move closer to meeting this concern.

Whether awareness of rights is considered or the issue of whether respondents think they know as much as they need to, the indicators considered so far suggest that there has been improvement since the 2005 Employment Right at Work Survey (ERWS). However, the questions asked of respondents which support this interpretation are of a very general nature.

They relate to whether people 'very generally' feel well informed about rights at work and to whether they think they know as much as need to know about (unspecified) rights at work.

In order to move closer to respondents' knowledge of rights the 2005 ERWS had presented respondents with 25 items and asked them whether they thought these represented legal obligations that employers must fulfil. Most of the items did represent such obligations but some did not. The 2008 survey followed this methodology using more items although here as a first step and for the sake of comparison with the earlier results only those items used in 2005 are considered.

Chart 3.5 suggests that there has been an increase in awareness of employers' legal obligations. For 16 of the 19 items that refer to cases in which there were legal obligations on employers in both 2005 and 2008 there is an increase in the percentage of respondents who know that these are in fact legal rights/obligations. However caution is in order about an improvement over time on two counts.

First, the increase in these percentages is usually small, especially when compared to the increase in general awareness of rights as measured by those thinking themselves very well or well informed (from 65 to 78 per cent)⁴.

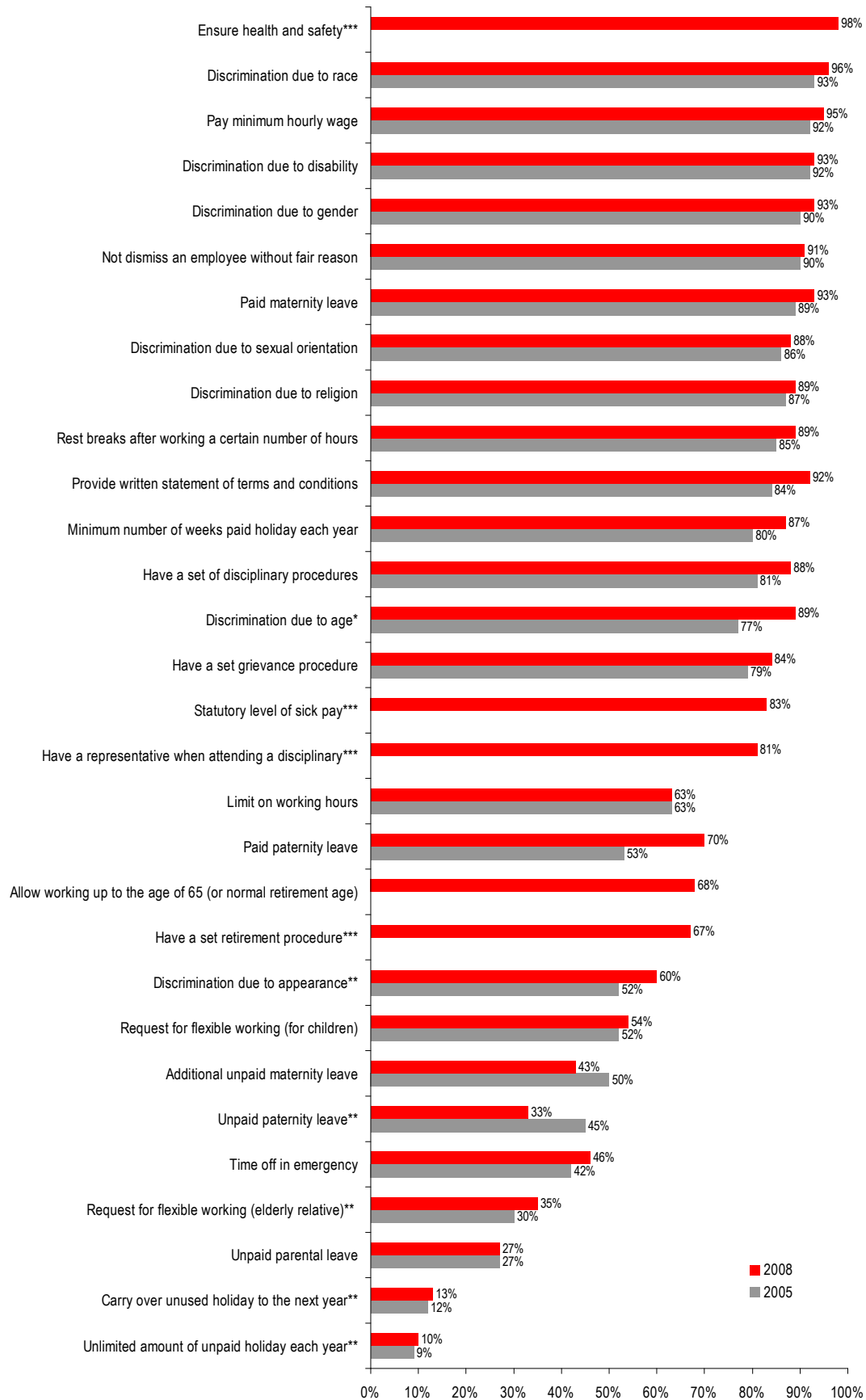
Second, five items in Chart 3.5 relate to cases where there is not a legal obligation on the employer. Four out of these five cases also show small increases in the proportion of respondents who think they refer to things that the employer must do. The percentage of respondents who think they have rights when this is *not* in fact so has only decreased in one of these (unpaid paternity leave, and in this case a third of respondents still think this a legal obligation on the employer).

One interpretation of these results is that there may be a general impression that employment rights have increased in Britain over the last few years (possibly because of increased publicity, including negative publicity about 'red tape' and the 'regulatory burden', as well as legislation) and that this general impression may exist over and above any knowledge that respondents have about specific rights. The relation between such general and particular conceptions invites further research.

As far as the situation that pertained in 2008 is concerned, Chart 3.5 suggests the level of awareness that rights exist in specific areas is generally high (average correct scores for all rights are presented in Table B3.7). Inspection of the results for the extra items which were included for the first time in the 2008 survey also suggests a high level of awareness that there are rights in particular areas. 98 per cent were aware that employers have a legal obligation to ensure employees' health and safety. Over 80 per cent know that employers are legally obliged to provide a statutory level of sick pay and to allow employees to be accompanied by a representative when attending a disciplinary hearing.

⁴ Clearly, there is little head room for an increase in the higher percentages found in Chart 3.5 for 2005 but the 2005 to 2008 percentage increase is also usually small for those items which yielded lower percentages in 2005.

Chart 3.5 Awareness of employers' legal obligations, 2005 and 2008



Note: *Not an employer obligation in 2005 but was in 2008, **Not an employer obligation in 2005 or 2008 and ***Not asked in 2005
 Source: BIS's FTWS 2008; ERWS 2005
 Base: All respondents that were asked Q2.6 (2008: weighted = 2690; unweighted = 2667)

On the other hand, the more recent age-related rights are less well known than the others: only 68 per cent know that employers must allow employees to work up to the age of 65 (or the normal retirement age) and only 67 per cent that employers must follow a set procedure when retiring an employee (including giving them the right to request to continue working). Those aged 55-64 are most in need of awareness regarding age-related rights. More of them did think that employers have a duty to allow employees to work up until 65 (74 per cent compared to 68 per cent for all respondents) but this still left a considerable knowledge deficit since a quarter of them did not think employers had an obligation to allow employees to work up until 65 or did not know whether this was so or not. Moreover, respondents in this age group were also no more likely to know that employers have to follow a set procedure when retiring an employee (67 per cent) than respondents in the sample as a whole.

Because the level of awareness of legal rights that employees claim in particular areas is generally good – over 80 per cent of employees claim to know of such rights in most instances – it becomes important to concentrate attention on those rights for which the level of awareness is lower. The first thing to note here is that of the six least known employer obligations in both 2005 and 2008 four relate explicitly to parental concerns and one (concerning leave in emergencies) might also be of particular concern to parents.

Not surprisingly, the overall results for these five rights are partly a function of replies from those without children in the household. Respondents with children in the household are more likely to know about employer obligations to seriously consider a request for flexible working (for children) than are those who have no children in the household (56 per cent compared to 52 per cent); to know there is a right to additional unpaid maternity leave (49 compared to 39 per cent); to know there is a right to unpaid parental leave (32 per cent compared to 23 per cent); to know there is a right to time off in an emergency (49 per cent compared to 44 per cent); and to know there is a right for men to take paid time off when their partner has a baby (73 per cent to 68 per cent). Even so, the level of knowledge about these rights remains generally low even after the contribution of those who do not have children in their household is taken into account.

Among respondents there may have been some confusion over the employer's obligation not to make employees work more than a given number of hours per week. Respondents were asked whether employers have to or can choose to limit working time. Under the Working Time Regulations of 1998, employers should limit working time to 48 hours a week (averaged over a reference period) unless they offer individuals the right to opt-out of this maximum working week. The question asked did not differentiate between those who had opted-out or those who had not and this may have caused confusion in what the respondent answered. Nevertheless the findings may indicate the need for awareness raising to improve the knowledge of this important area.

Small variations exist, not tabulated here, between most workplace, job and individual characteristics. Most note worthy are those employed in energy and water and in banking, finance and insurance are particularly likely to know of such a right, but those employed in manufacturing and in distribution, hotels

and restaurants are less likely to be fully aware of their rights on working hours.

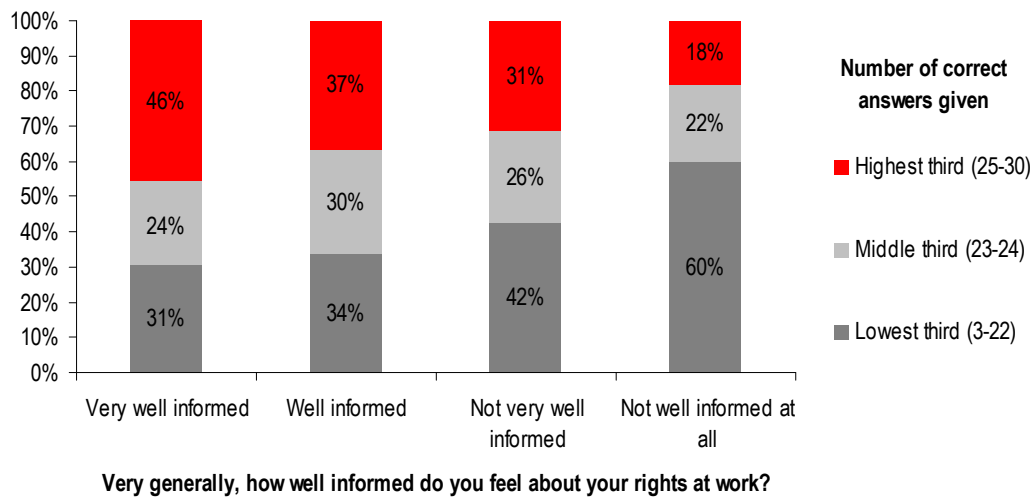
The higher proportions who know of this right, include those in workplaces with corporate resources, managerial and professional occupations; those performing managerial or supervisory duties; those with the highest salaries; and those who have received equal opportunities training. Part time employees, who might be thought to have less interest in the maximum period they can be asked to work were less likely to know about this right than full time employees. Younger workers are less likely to know than older ones and those with no qualifications lag considerably behind those with the highest academic qualifications.

Those who have and have not experienced problems are equally knowledgeable about the hours per week regulation. This is in line with the results of an examination of the magnitude of the differences between those who have and have not experienced problems in their awareness of legal obligations in all 30 particular areas. Those who had and had not experienced problems differed in their correct replies about the employer obligations (listed in Chart 3.5) by 0.5 per cent or less in 9 out of 30 cases, by 1 per cent or less in 15 cases and by 2 per cent or less in 25 cases out of 30. In short, on this evidence, there is little difference in the knowledge of legal rights in *particular* areas between those who have and have not experienced problems.

The view first advanced in the *2000 Survey of Awareness, Knowledge and Exercise of Individual Employment Rights* that the experience of problems may 'make respondents more "modest" in assessing their own awareness levels' remains plausible in so far as the present survey also finds that those who experienced problems are, in general, less likely to feel that they are well or very well informed and more likely to think that they do not know enough about their (unspecified) rights. There is also another possibility: that those who have not experienced problems may be over confident that they are well informed – until they have a problem. However, the FTW survey is cross-sectional and cannot adequately explore such processes over time.

A cross tabulation of how well respondents feel informed in general and whether they scored in the highest, middle or lowest third of correct scores for answers to questions about whether there are legal rights/obligations in particular areas is presented in Chart 3.6. At first sight, there is a broadly recognisable relationship between the number of correct answers that respondents made about whether rights exist in particular areas (whether they have a knowledge of rights in principle) and their answers to the question of how well they feel informed about their rights in general. In fact, though, this is far from an exact relationship. Less than half of those who think they are very well informed are actually to be found in the highest category for correct answers. Just less than a third of them are to be found in the lowest third of correct answers. The correlation between these variables is 0.14. In short, respondents' confidence about how well informed they are would seem to be quite often misplaced and there must be some doubt about what the feeling informed in general variable actually measures.

Chart 3.6 General awareness against knowledge of employers' legal obligations, 2008



Source: BIS's FTWS 2008

Unweighted base: All respondents that were asked section Q2.2 and Q2.6 (2,667); Very well informed (672); Well informed (1,389); Not very well informed (518); Not well informed at all (82)

3.3 Importance of knowing about specific rights

Respondents were asked how important it was for them to know about rights in each of 25 areas:

"How important you think it is for you personally to know about the law regarding employers' responsibilities in [named area]?"

In all 25 cases over 70 per cent of respondents thought it very or fairly important to know about the right. In 15 cases out of 25, 90 per cent of respondents replied that they thought it was very or fairly important to know about it (Table B3.8). The rights that attract the highest endorsement in terms of the importance of knowing about them tend to be of a universal nature in the sense, for example, that health and safety and protection against unfair dismissal can apply to anyone. But most particularistic rights concerning age, gender, disability and race discrimination are also held to be important to know about by nine out of ten respondents and a clear eight out of ten think it important to know about rights that relate to religion, retirement age and sexual orientation.

As against this, around a quarter of respondents think it not very important or not at all important that they know about women's rights to additional unpaid leave when they have a baby or about men's right to paid time off when their partner has a baby or the right of parents of young children to have a set amount of unpaid time off work to spend with them. Other parental rights attract similar levels of unconcern and compared to, say, rights about race or disability or gender discrimination, are more likely to be a matter of particularistic judgement. Whereas such levels of unconcern are minority responses and must be seen as relative to high proportions thinking it important to know about rights generally, they do suggest a relative lack of

concern about parental rights which differs from that for other particularistic ones.

3.4 Knowledge of the detail of specific rights

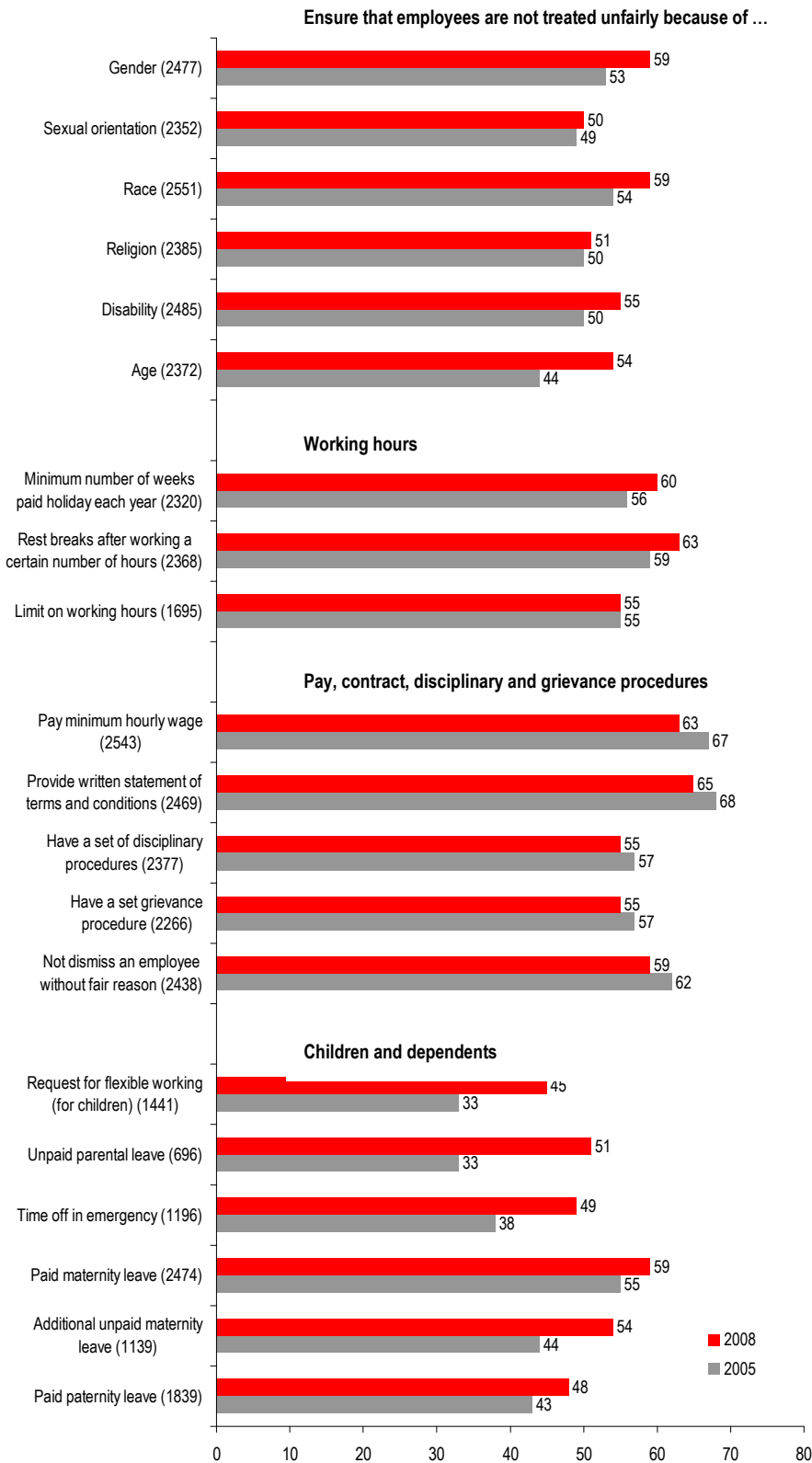
It has been seen that 78 per cent respondents feel they are well or very well informed of rights 'in general'; about 60 per cent think they know as much as they need to about their rights generally; and that at least 70 per cent report that they think it important to know about each of the 25 rights that they were asked about. But there are considerable differences in what respondents feel they know about the *detail* of different aspects of the law. Respondents who thought that employers had particular legal obligations were asked:

"How much do you feel you know about the detail of the law regarding [named legal obligation]?"

In the case of 24 out of the 30 legal obligations which respondents think employers are obliged to observe the percentage who feel that they know a lot or a fair amount is less than 60 per cent. Overall, responses range from 76 per cent in the case of those who claim to know a lot or a fair amount about employers' duty to ensure employees' health and safety to 39 per cent for those who claim to know this about the recent requirement to follow a set procedure when retiring an employee (Table B3.9). But not all the legal obligations which respondents claim to know about are in fact legal obligations. Whereas it is not of course required by the employment rights framework that employees know their rights in detail it is worth noting that respondents who are in error that certain rights exist are also quite often confident that they know a lot or a fair amount about them. In the extreme case, 61 per cent of the minority of respondents (13 per cent) who falsely think employees have the right to carry over unused holiday to the next year think that they know a lot or a fair amount about this 'right'. At least four out of ten respondents who think, incorrectly, that employers have legal obligations with respect to unlimited unpaid holidays, discrimination on grounds of appearance, unpaid time off for men when their partner has a baby and a duty to seriously consider requests for flexible working for those who care for elderly relatives also think that they know a lot or a fair amount about these 'rights'.

The same question about how much respondent's feel that they know about the detail of the law had been asked in 2005. Chart 3.7 groups rights into broad categories and it compares results for 2005 and 2008 for those rights that were enquired about in each year. It can be seen that the proportion claiming to know a lot or a fair amount has undergone a moderate increase for most of the rights examined and that the increase is most pronounced for rights that concern children and dependents, though these are still amongst those about which respondents are least likely to make such claims. It can also be seen, however, that there is a consistent though moderate decline in respondents' claims to know a lot or a fair amount about rights that relate to some classic industrial relations issues - pay, contracts, disciplinary and grievance procedures.

Chart 3.7 Whether respondents say they know about the detail of employers' legal obligations; 2008 and 2005



Source BIS's FTWS 2008: Q2.7; ERWS 2005: 36

Base: Respondents who thought each was a legal obligation (2008 unweighted bases shown in brackets)

Of course Charts 3.6 and 3.7 relate only to how much detail respondents think that they know about legal obligations on the employer. This begs the question of what respondents actually do know in detail. The 2005 Employment Rights at Work Survey (ERWS) had contained a number of questions to ascertain what detailed knowledge respondents actually had about employer obligations/rights in particular areas. In 2008, in line with the thinking behind the UK employment rights framework, according to which workers do not need to know about the law in detail, many of these questions were not repeated. As a consequence, enquiry into the level of detailed knowledge that respondents have in particular areas is only possible with respect to two rights: the National Minimum Wage (NMW) and the minimum number of weeks' holiday entitlement. Detailed knowledge about these is considered in the next section.

3.4.1 National Minimum Wage (NMW)

The NMW was introduced in 1999. It initially set minimum hourly pay rates for almost all employees aged 22 and over and a lower rate for those aged 18 to 21. In 2004 a further minimum rate was introduced for 16 to 17 year olds other than those on apprenticeships. BIS has run NMW awareness raising campaigns directed at both employers and employees (VWEF 2008: Annex 4). During 2008/09, a number of publicity campaigns were run across the country targeting 16-21 year olds, migrant workers, employers and the general population.

Most of the 2008 survey was conducted in October, November and December and the rates in place at the time of the survey were introduced in October 2008. These were: 16-17 year olds £3.53 per hour, 18-21 year olds £4.77, 22 year olds and older £5.73. It has already been seen that respondents have a high level of awareness that employers have legal obligations with respect to the payment of a national minimum hourly wage (93 per cent are aware that this is a legal obligation).

Here respondents' knowledge of detail is investigated with respect to several issues: the eligibility of different age groups to receive the NMW; the level at which the NMW is paid for different age groups; what deductions employers can legally make from the NMW; and the maximum penalties that employers can face if they fail to pay the NMW when they should.

Knowledge about which age groups the NMW applies to differs according to the particular age group in question. It is widely understood that the NMW applies to 22 to 64 year olds (96 per cent are aware of this as were 95 per cent in 2005). It is also widely understood that it applies to 18-21 year olds (95 per cent compared to 93). The situation that pertains at the extremes of the age range, with respect to older and younger workers, is less well understood.

On older workers coverage, only 64 per cent of respondents thought that the NMW applied to those aged 65 or over (though this is significantly up from 56 per cent in 2005), 21 per cent thought the NMW did not apply to 65 year olds and 14 per cent said that they did not know whether it did or not. Those aged 50 and over are no better informed: only 63 per cent of them know that the NMW applies to 65 year olds, 19 per cent think that it does not and 18 per cent do not know.

On younger workers coverage, 72 per cent of respondents were correct in thinking that the NMW did *not* apply to 14 to 15 year olds but this represented a fall from 83 per cent in 2005. More people now thought incorrectly that the NMW did apply or did not know whether it applied or not (27 per cent) than had been the case in 2005 (17 per cent). Amongst those born outside the UK 40 per cent either thought that 14 to 15 year olds were covered or did not know, as did 30 per cent of those earning less than £6.50 an hour.

In the 2005 ERWS only 58 per cent had thought that the NMW applied to 16-17 year olds and it was suggested that this might be a function of the fact that the law had only changed in October 2004 (2005 ERWS: 63). In 2008 73 per cent thought this age group was covered, which is compatible with this interpretation.

Level of NMW for different groups: all respondents who thought that more than two of the age groups they were asked about were covered by the NMW were asked whether the rate paid was the same for all these groups. 30 per cent thought this to be case (compared to 33 per cent in 2005).

Respondents who thought that an age group was covered by the NMW and who thought the NMW varied by age group were then asked how much per hour the NMW was for each group. Three things stand out. First, it was extremely rare for those who thought a particular age group was eligible to be able to specify the precise amount. Second, the amount thought to be paid was generally over-estimated. As the distribution of responses makes clear however (Chart 3.8) over- estimation of the level of the NMW is highest for the youngest age categories (76 per cent of respondents over-estimate the level for 16-17 year olds; 71 per cent overestimate the level for 18-21 year olds). Third, 'don't know' responses were above 10 per cent with respect to all age categories and account for almost one in five responses about the rate payable to those aged 65 and over.

A less stringent but not unreasonable measure by which to examine knowledge about the level(s) of the NMW can be constructed by calculating the percentage of responses that fall 10 per cent plus or minus of the correct answer⁵ (Table B3.10). Application of these criteria produces the following within ten per cent of correct scores: for 16-17 year olds (12 per cent compared to 6 per cent in 2005), for 18-21 year olds (34 per cent compared to 38 per cent), for 22 to 64 year olds (68 per cent compared to 56 per cent), for those aged 65 or older (62 per cent again compared to 56 per cent). There has therefore been some improvement but knowledge of the correct rates for younger workers remains poor.

⁵ Within 10 per cent is taken as: £3.18-£3.88 for 16-17 year olds; £4.29-£5.25 for 18-21 year old; £5.16-£6.30 for those aged 22 and older. Don't know taken as wrong answer.

Chart 3.8 Knowledge of NMW rates by coverage group, 2008

Age groups		18-21		22-64		65 and over	
16-17	%		%		%		%
<£3.53	7						
£3.53	*						
£3.54-£4.00	13						
£4.01-£4.50	15						
£4.51-£5.00	24	<£4.77	15				
>£5.01	24	£4.77	1				
		£4.78-£5.00	14	<£5.01	5	<£5.01	6
		£5.01-£5.50	22	£5.01-£5.50	17	£5.01-£5.50	17
		£5.51-£6.00	26	£5.51-£5.72	16	£5.51-£5.72	13
		>£6.01	9	£5.73	3	£5.73	3
				£5.74-£6.00	29	£5.74-£6.00	28
				£6.01-£6.50	10	£6.01-£6.50	7
				£6.51-£7.00	5	£6.51-£7.00	5
				>£7.01	3	>£7.01	2
Don't know	15		13		11		19
Weighted base	1367		1734		1711		1105
Unweighted	1362		1731		1714		1106
base							

Note: The correct rates for each group are shaded

Source: BIS's FTWS 2008

Base: All respondents that think each age group are covered by the NMW and that the NMW varies depending on age from Q3.3

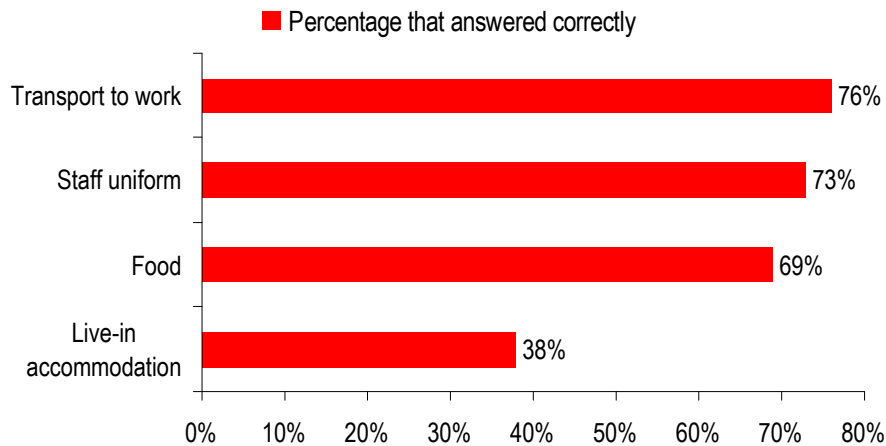
An inverse relationship exists between what respondents earn per year and their approximately correct estimates of the NMW rate for 22 to 64 year olds. One reading of this is that those more likely to need to know the level of the NMW because they are closer to having to depend on it are most likely to do so. Another is that these differences underline the lack of real knowledge that those who are less vulnerable have of those who are more vulnerable.

Knowledge about when new NMW Rates are introduced: it might be expected that estimates made in this survey would be more accurate than in the 2005 ERWS since interviews were conducted between September and December. The majority were following the introduction of the new NMW rates in October whereas in 2005 the vast majority of interviews were conducted between late June and late September. However, the date that the rate changes each year lacks salience for most people. Only 14 per cent of the sample knows that NMW rates increase in October. The majority (55 per cent) believe that annual increases take effect in April and 15 per cent say quite simply that they do not know. There is again an inverse relationship to the annual wage: generally, the higher the wage the lower the proportion who know the correct month – £40k and over 7 per cent; £25k-£39.99k, 9 per cent; £15k - £24.99, 14 per cent; under £15k, 19 per cent.

Knowledge of employers' rights to make deductions from the NMW: employers are entitled to make a limited deduction from the NMW up to a certain maximum for live-in accommodation, which is known as the 'accommodation off-set' but no deductions are allowable for providing staff uniforms, transport to work, food provided as part of the job and other services. Respondents were asked whether employers had the right to make

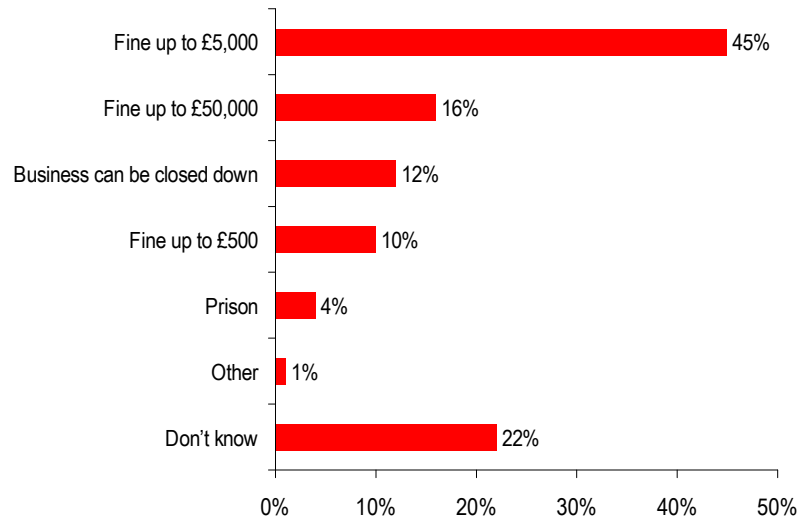
deductions for various purposes. The protections afforded to workers in relation to employer deductions from the NMW were widely understood. About seven out of ten respondents knew that employers could not make deductions for providing staff uniforms, transport to work or food. But over half thought, wrongly, that employers had no right to make a deduction for accommodation (Chart 3.9). BME and non UK born were particularly likely to make this mistake.

Chart 3.9 Knowledge about NMW deductions, 2008



Source: BIS's FTWS 2008
 Base: All respondents that were asked Q3.7 (weighted = 2715 ; unweighted = 2730)

Knowledge of penalties for employers who do not pay the NMW: interviewees were asked what they thought the penalties were for an employer who does not pay the NMW and were given several options from which they could choose as many as they thought applied. By far the most common response (45 per cent) was that an employer who did not pay the NMW faced a £5,000 fine (Chart 3.10). This is indeed the maximum fine. Of the incorrect responses most exaggerate the severity of the penalty (penalties of a fine up to £50,000, business closure and imprisonment amount to over 30 per cent of responses) and only 10 per cent underestimate the penalty (£500 fine). Over one in five answers take the form of 'don't know' responses, nearly 3 out of 10 BME and non UK born responses fall into this category.

Chart 3.10 Penalties for an employer who does not pay NMW, 2008

Source: BIS's FTWS 2008 Q3.6

Base: All respondents that were asked section 3 (weighted = 2715 ; unweighted = 2730)

3.4.2 Knowledge of paid annual holiday entitlement

It has been seen that the great majority of respondents have a good general knowledge of their holiday rights. They know that employers have to allow employees to take a minimum number of weeks paid holiday per year (87 per cent, up from 80 per cent in 2005); only 8 per cent (10 per cent in 2005) do not know that employers do not have to allow them to take an unlimited amount of unpaid holiday leave; only 13 per cent (12 per cent in 2005) are not aware that there is no right to carry over unused holiday to the next year. This section examines their grasp of detail.

At the time of the survey the statutory minimum of days paid holiday, based on a 5 day working week, was 24 days (or 4 weeks and 4 days). This included Bank holidays. Respondents were asked what the minimum number of weeks' of paid holiday each year was for someone working full-time. Only 2 per cent of respondents got the correct 4 weeks and 4 days answer. This was a considerable difference to the 2005 ERWS where 61 per cent gave the right answer but in that survey a less demanding question was asked (about 'weeks', the correct answer then being 4 weeks). In 2008 respondents were given a number of specific responses from which to choose. Just over half (58 per cent) thought the entitlement was between 4 weeks and less than 5 weeks. 12 per cent thought it was less than 3 weeks; 17 per cent between 3 weeks and less than 4 weeks; 12 per cent thought it was 5 weeks or more. A further 3 per cent did not know.

Although the statutory minimum days of paid holiday include Bank holidays only a quarter of respondents (25 per cent) knew this, although 29 per cent of those who never took paid days off for bank holidays did. Over half (52 per cent) thought that workers were entitled to all Bank holidays in addition compared to 44 per cent of those who never took paid days off for bank holidays; and a further 21 per cent thought that they were entitled to at least some Bank holidays, as did 26 per cent of those who never took paid days off for them.

Respondents were also poorly informed about recent government legislation on holidays. Asked whether they knew that such legislation had increased the minimum entitlement from the 20 to 24 days last year (2007) and would increase it to 28 days next year (2009) eight out of ten respondents (78 per cent) replied that they were not aware this change had been made. Employees who reported that they always worked on bank holidays were equally unaware of any legislative changes on the statutory minimum for paid holidays.

3.5 Summary

General awareness

- 78 per cent of the working population feel well or very well informed about their rights generally compared with 65 per cent in 2005.
- Trade union recognition, equal opportunities training, occupancy of a management or supervisory position, having a permanent job and not having experienced a problem are all positively associated with how well respondents feel informed about their rights generally

Sufficiency of knowledge

- There has been a significant increase since 2005 in whether respondents feel they know enough about their rights from 44 per cent to 60 per cent in 2008.
- Public sector employees are more likely to think they know enough and having only one job, having a permanent job, being white and receiving equal opportunities training are all positively associated with respondents feeling that they know as much as they need about their rights at work. Level of educational qualification also has a positive effect on whether respondents feel they know as much as they need. Respondents who have experienced problems at work are less likely to feel that they know as much as they need.

Awareness of employers' legal obligation

- Knowledge that employers have specific obligations is high and has increased since 2005. But the increase is small compared to that for whether people generally feel well or very well informed and there are also increases in the percentages of people thinking they have rights when this is not in fact the case. One interpretation of this is that a general impression exists that employment rights have been increasing and that this exists over and above the knowledge that respondents have about specific rights.
- The least known employer obligations relate to parental concerns and there is confusion about the 48 hour working time regulation.

Importance of knowing about specific rights

- In the case of all the rights asked about seven out of ten respondents thought it important to know about rights and sometimes much higher proportions did (98 per cent in the case of health and safety).
- Despite the high general level of concern there is a relative lack of support for the importance of parental rights.

Those who have experienced problems

- Those who have experienced problems are less likely to feel that they are, very generally, well informed and they are less likely to think that they know enough about their individual employment rights – but their knowledge of particular rights is often similar to those who have not experienced problems.

Knowledge of the detail of specific rights

National Minimum Wage

- There is a high level of awareness that employers have legal obligations to pay the NMW but it is less well known that the NMW applies to those aged 65 or over.
- The precise level of the NMW is poorly known.
- The level of the NMW tends to be over-estimated, especially for the youngest age categories.
- There is an inverse relation between what respondents earn and the ability to give approximately correct answers about the level of the NMW. Those who have not experienced problems are also less likely to give an approximately right answer.
- Respondents generally know what deductions employers can make from the NMW but are ill informed about the right to make deductions for accommodation.
- Nearly half the respondents know that the maximum fine an employer can face for not paying the NMW is £5000. Incorrect responses tend to exaggerate the severity of the penalty.

Paid annual holiday entitlement

- Only one per cent knew that holiday entitlement at the time of the survey was 4 weeks and 4 days and fewer than 6 out of ten knew it was between four and five weeks.
- It is poorly understood that paid holidays can include Bank holidays
- Respondents are poorly informed about changes in legislation about holiday entitlement.

In general, respondents claim to have a better general awareness of rights than they have knowledge of particular rights.

4 Employment Rights Support

In the last chapter it was seen, with respect to Step One (Chapter 2) that the great majority of employees believe that they are well informed about employment rights at least in a general way. This chapter addresses questions that relate to Step Two of the employment rights framework and several pieces of evidence are considered that bear on this question:

- Respondents' own assessments of whether they know where to find relevant information (Section 4.1).
- Respondents' knowledge of relevant national organisations (have they heard of the Citizens Advice Bureau for instance) (4.2).
- Who or where respondents would go first to find information and advice about their rights at work (to a manager or trade union representative at work, or to a Citizens Advice Bureau for example) (4.3).
- Where respondents would go first to get information about the National Minimum Wage (4.3.1).
- What methods would they employ to access this information (telephone, the web, face to face contact etc)? (4.4)

As noted in Chapter 2, three sections of the survey were rotated at random to maintain a certain interview length. This meant a respondent was asked two of three sections on awareness of employment rights; knowledge of specific employment rights and sources of information/advice in every interview. This means two-thirds of the total possible sample (4,010) were asked questions on the areas covered in Chapters 3 and 4.

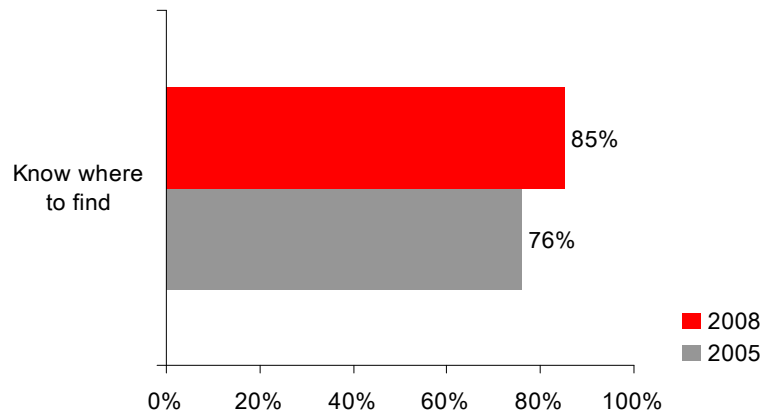
4.1 What is known about employment rights support

All respondents were asked:

Would you know where to find out information about your rights at work if you needed to? (Q4.1)

The great majority believe that they would know where to find information about their rights at work if they needed to and more believe this than was the case in 2005 Employment Rights at Work Survey (ERWS) when the same question was asked (Chart 4.1).

Chart 4.1 Whether know where to find rights information, 2005 and 2008



Source: BIS's FTWS 2008; ERWS 2005
Base: 2008 All respondents that were asked Q4.1 (unweighted = 2,623, weighted = 2,615)

A detailed examination of how different characteristics relate to knowing where to find information on rights is provided by the data in Table B4.1. Bivariate analyses of key differences are as follows.

Workplace characteristics: over 90 per cent of those employed in public sector employment and in workplaces with trade union recognition claim to know where to find support and those employed in the private sector and non trade union recognised workplaces clearly lag behind. Those in micro workplaces also lag behind those in larger ones as do those employed in workplaces which do not have HR departments or written equal opportunities policies compared to those that do. Those in construction and other services are particularly unlikely to know where to find support and those in public administration, education and health are particularly likely to claim that they do know.

Job characteristics: those who perform managerial/supervisory work, those who have a managerial or professional occupation, those on high annual earnings, those who are trade union members, those with the longest service and those who have received equal opportunities training are all more likely to be confident of knowing where to find information. Respondents with permanent jobs are more likely to be more confident about this than those without. A high proportion of the latter (28 per cent) do not feel confident that they know where to go for support, as do an even higher proportion of agency workers (35 per cent). Those in full time as opposed to part time work are also more confident that they know where to go.

Individual characteristics: those who are significantly more likely to report that they know where to find information include older respondents, white rather than BME/others and those of UK as opposed to non UK origin. Those with

the highest level of academic qualifications are clearly more likely to know than those with none and confidence tends to increase, though not smoothly, as the hierarchy of qualifications is ascended. Non-Christians are more likely not to know where to go than Christians and those who have experienced problems are less likely to feel that they know where to go than those who have not done so. The highest proportions who do not know where to find out their rights are found among those aged 16-24, BME/other and non UK born respondents.

We now progress from basic bivariate to multivariate analysis in an attempt to consider which characteristics at workplace, job and individual level retain their influence when others are controlled for with respect to whether respondents say they know where to find information about their rights (Table B4.2). See section 2.4 for a more in depth interpretation of the outputs in Table B4.2 and Table B4.3; and a description of the regression method used.

Following a report of the results of this, the variables contained in the fourth model have been entered into a further regression in order to check the effects of respondents' awareness of their rights (Step One in the employment rights framework, section 2.3) on their assessment of whether they know where to find information (Step Two).

Briefly the regression results for whether respondents say they know where to find information about their rights indicate that, among workplace characteristics (Model 1), there are significant positive associations for whether respondents are employed in a workplace with a recognised trade union, whether it has a HR or Personnel department and whether it has a written equal opportunities policy. Among job characteristics (Model 2) whether the respondent performs managerial/supervisory duties, whether they are employed on a permanent or non permanent basis, whether they have received any equal opportunities training and whether they are trade union or staff association members all have significant effects. Among individual characteristics (Model 3), age, ethnic group, country of birth, level of education, presence of children in the household and whether the respondent has experienced problems at work are significant. The following variables remain significant in the final Model 4:

- whether or not the workplace has an equal opportunities policy
- whether the respondent performs managerial/supervisory duties or not
- whether the respondent has had equal opportunities training
- whether the respondent is a member of a trade union or staff association
- whether the respondent is BME/Other or white
- whether the respondent was born in the UK
- highest educational qualification
- whether the respondent has dependent children living in the household
- whether the respondent has experienced problems at work

The first four of the above suggest the advantage of having access to a collective knowledge resource (an equal opportunities policy, training or access through membership of a trade union/staff association) or closeness to the organised force that is management – and the disadvantage of the lack of these. The lower propensity of those who have experienced problems to think

that they know where to get information (about unspecified issues) parallels the tendency found in Chapter 3 and Table B3.1 for them to think they are, in general, less well informed about rights.

There are two variables that might be used to indicate respondents' awareness/knowledge of their rights. The first consists of answers to the question about *awareness*, whether they feel themselves very well or well informed about their rights compared with not very well or not informed at all from section 3.1.1; the other, their *knowledge score*, consists of the number of correct answers that respondents gave to 30 questions about what employers were legally bound to do from section 3.2.

In Model 5 these two further variables are added to those in Model 4 and it can be seen that each of them has a significant association with respondents claiming that they would know where to get rights support⁶, which might be taken to indicate a progression from Step One to Step Two of the employment rights framework. As against this, the fact that each of them is significant indicates that they measure different things⁷ and adds weight to doubts raised by Chart 3.6 about just what the well informed variable, which has tended to serve as the leading indicator of rights awareness, measures.

4.2 Awareness of national organisations

Respondents were read out the names of a number of national organisations which provide advice and information on employment rights and asked:

Can you tell me whether you've heard of these organisations? (Q4.10a⁸)...

As can be seen from Chart 4.2 two organisations are much more likely to have been heard of than the others, the Citizens Advice Bureau (96 per cent) and the Health and Safety Executive (88 per cent). Over half had heard of DirectGov and more than four out of ten of BERR (became part of BIS after the survey).

The National Minimum Wage Helpline, Employment Agency Standards Inspectorate and notably the Gangmasters Licensing Authority are all considerably less well known. The latter is very poorly known and not many more respondents claim to know of it than claim to know of the Worker

6 As noted in Chapter 2, three sections of the survey were rotated at random to maintain a certain interview length. This meant a respondent was asked two of the three sections in every interview or two-thirds of respondents were asked each of these sections. When data is used across any two of these sections, this reduces the sample size by a further half or to a third of the total sample. This explains why between model 4 and 5 the base is reduced from 2369 to 1133 cases. With this in mind beyond the significant result of their knowledge score or awareness contributing to knowing where to find information on their rights, the results of model 5 should be treated with caution.

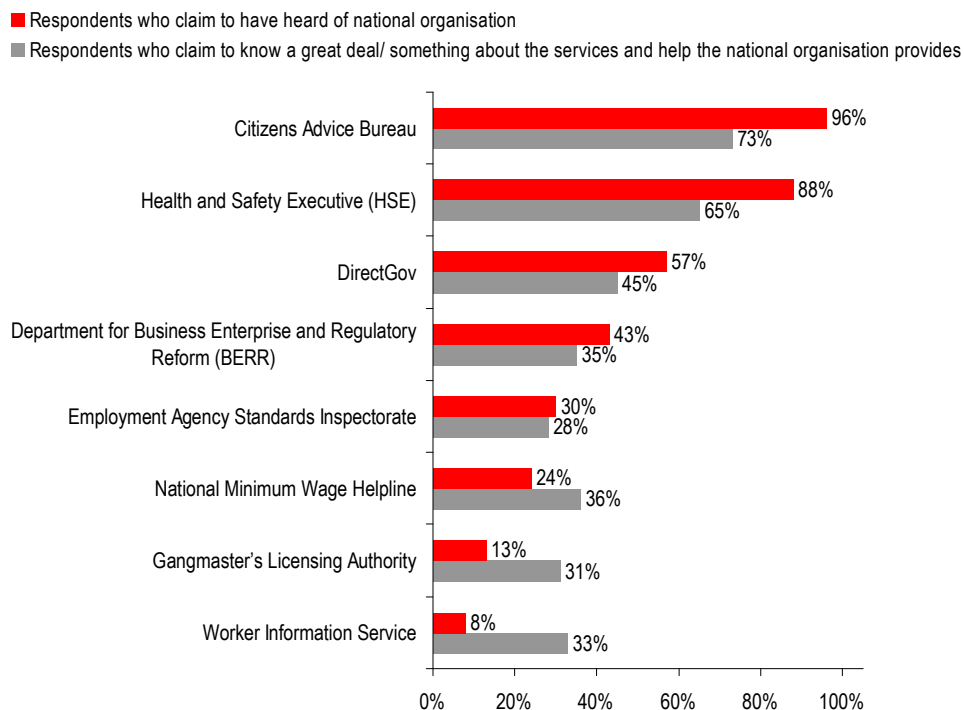
7 A further indication of this is that the odds ratio estimates for these variables remain much the same when entered into models separately and together. The variable for whether respondents feel, in general, that they know about their rights has an odds ratio estimate of 3.3 when introduced by itself and also when introduced alongside the awareness count score in Model 5; the awareness count score has an odds ratio of 1.12 when singly introduced and one for 1.15 when combined with the in general feel about rights variable in Model 5.

8 In the survey this question was asked after other questions on sources of information and advice in order to avoid affecting responses and the national organisations were listed in random order to minimise response bias.

Information Service (a non-existent entity included as a check on the validity of responses).

As can also be seen from Chart 4.2 a similar pattern of response resulted when those who claimed to have heard of an organisation were asked how much they knew about what help and services it could provide. Respondents were most likely to say that they knew a great deal or something about what services and help could be provided by the Citizens Advice Bureau (CAB) and the Health and Safety Executive (HSE). With the exception of these two organisations and DirectGov (though under half claimed to know a great deal or something about this), respondents were only a little more likely to claim to know a great deal or something about the organisations than they did about the non-existent Worker Information Service. In the case of the Employment Standards Agency (EAS) Inspectorate and the Gangmasters Licensing Authority (GLA) respondents were even less likely to claim to know a great deal or something about the services and help these organisations provide than they were to claim this of the non-existent Worker Information Service. It is also worth noting that both GLA and EAS operate in sectors of the economy relating to temporary work so are not relevant to all workers in the sample.

Chart 4.2 Whether heard of national organisations and per cent of these who know about the services and help they provided



Source: BIS's FTWS 2008

Base: All respondents that were asked Q4.10a and Q4.10b (weighted = 2615; unweighted = 2623); Q4.10b All respondents that say they have heard of each organisation

In what follows the different organisations are considered separately and then particular respondent characteristics are considered as they relate to awareness of these organisations.

4.2.1 Knowledge of support organisations

The Citizens Advice Bureau (CAB) clearly has a special status as a provider of advice and support on employment rights. Knowledge of the CAB only falls below 90 per cent for three of the large number of characteristics examined (Table B4.4). These concern respondents who were not born in the UK (78 per cent), who are classified as BME/other rather than white (85 per cent) and who earn less than £6.50 an hour (89 per cent). Even in the most extreme case of lack of knowledge, which relates to language difficulties, the percentage who claim to know of the CAB does not fall below 60 per cent⁹.

The HSE is also well known. It is especially well known in workplaces with corporate characteristics - in public rather than private employment, among those employed in larger workplaces and where there are recognised trade unions, HR departments and written equal opportunities policies. It is less well known in transport and communications than in other industries. Knowledge of it is better among managers and the better paid and among trade union members, those who are older, have longer service and especially those who have long standing illness/disability and by those who have children in their household. It is also better known by men than women and by those who have received equal opportunities training. It is less well known among those who lack permanent contracts, the young, those who earn less than £6.50 an hour, those classified as BME/other, the non UK born and non-Christians - but at least 70 per cent of all of these know of it.

DirectGov is moderately well known as a source of information on employment rights. This Government website is best known in managerial circles, by those with the highest academic qualifications and salaries and among those who have received equal opportunities training. Amongst industries it is best known in banking, insurance and finance and worst known in construction and other services. It is less well known in Scotland than England, among those whose workplaces lack HR departments or written equal opportunities policies, among routine and manual workers, those on part time contracts, long service and older workers, the non UK born, non-Christians and those with the lowest educational qualifications.

BERR (now part of BIS) is relatively poorly known. Knowledge levels only exceed 50 per cent, and then by not much, in Scotland, in the public sector, in the largest workplaces and in those which recognise trade unions, and among trade union members, older workers and those with long service. Knowledge of it only exceeds the 60 per cent level among the academically best qualified and the highest paid. Knowledge of it does not reach the 60 per cent level in any industry and only reaches 50 per cent in energy and water, banking, insurance and finance and manufacturing.

The Employment Agency Standards (EAS) Inspectorate was poorly known across the board and especially so amongst those who lack any academic qualifications, only 22 per cent of whom have heard of it, as have only 28 per cent of agency workers. This is consistent with the conclusions of the main report from the Vulnerable Workers Enforcement Forum (see Section 2.3),

⁹ These data rest on a small number of cases but for those who are competent in the English language, as assessed by interviewers, 97 per cent claimed knowledge of the Citizens Advice Bureau, compared to 73 per cent of those thought to have some difficulty and 61 per cent of those reckoned to have major difficulty.

which recommended an awareness campaign, delivered between January and March 2009, to promote the visibility of the EAS.

The National Minimum Wage Helpline was again poorly known. Only 22 per cent of those without academic qualifications have heard of it and only 24 per cent of those who earn less than £6.50 an hour. However, it is known to 31 per cent of BME/other respondents, which is a relatively high proportion for this organisation.

The Gangmasters Licensing Authority has been operational since 2005 and was set up to curb the exploitation of workers by gangmasters in the agriculture, horticulture, shellfish-gathering and associated processing and packaging industries. It thus has a limited remit. Even so, considerable publicity attended the case for its creation following the deaths of over 20 Chinese workers who were harvesting cockles on Morecambe beach in 2004 and the degree of abuse it was set up to counter is arguably an issue for all citizens. There are, however, very few instances in which knowledge of it reaches 20 per cent among any particular category of respondent. Such instances are to be found only among older workers, those in managerial and professional occupations, those with the highest educational qualifications and the best paid (24 per cent of those who earn £40k and over know of it compared to 8 per cent of those who earn under £15k). Only 22 per cent of those employed in agriculture, forestry and fishing claim to have heard of it.

National and workplace characteristics, there are no consistent national differences which relate to knowledge of national support organisations although respondents in Scotland are less likely to know of DirectGov than those in England and are more likely to have heard of the Employment Agency Standards Inspectorate. They are also more likely to have heard of BERR (and to falsely claim they have heard of the non-existent Worker Information Service). At workplace level the general pattern is for those in workplaces with corporate characteristics – public ownership, large size of workplace, presence of HR department, trade union recognition- to be more knowledgeable (though those in the largest organisations and in workplaces with HR departments are also more likely to claim that they have heard of the non-existent Worker Information Service).

Job characteristics, those in managerial occupations and the better paid tend to be more knowledgeable, so too those in permanent and full time jobs, trade union members, those with the longest periods of service and those who have received equal opportunities training.

Individual characteristics, greater knowledge is usually positively associated with age (except in the case of the web-based service provided by DirectGov, which is better known to those aged 16-24 who are presumably more attuned to the internet). Whites consistently have better knowledge than BME/other respondents and the UK born consistently have better knowledge than the non-UK born. Those categorised as BME/other and non UK born are both more likely to think that the Worker Information Service exists.

Generally, knowledge of these organisations is better amongst those who have higher level academic qualifications, especially in the case of DirectGov, and those with no educational qualifications usually have the least knowledge of them.

Those who have experienced long standing illness/disability are more likely to have heard of the Citizens Advice Bureau, the HSE and the Gangmasters Licensing Authority but less likely to have heard of DirectGov. Those who have experienced problems at work are slightly more likely to have heard of the Citizens Advice Bureau, but are less likely to have heard of the HSE and cannot be distinguished from those who have not experienced problems in most cases. This suggests, as was seen in section 3.2, that the difference between those who have and have not experienced problems tends to diminish when specific rather than general knowledge is at issue.

4.3 Where respondents would go to find information

Respondents were asked:

Who or where would you go to first in order to get information about [unspecified] rights at work?

Respondents who indicated they would first go to a particular source were asked further if they could not get the information from the first source:

How else do you think you might try to get general information about your rights at work? (Q4B.3)

Chart 4.3 shows the results from these questions about where respondents would go first and where else they would go. Half of the respondents (51 per cent) said they would first go to a workplace source. Of these workplace sources over half were managers - either Personnel/HRM officers (17 per cent) or other managers (16 per cent) and 7 per cent were union representatives.

A third of respondents would go first to providers outside the workplace, the most frequently mentioned of which was the Citizens Advice Bureau (13 per cent), followed by a trade union (7 per cent).

Overall, trade unions, whether approached inside or outside work, constituted a first port of call for information in 14 per cent of cases, on a par with the Citizens Advice Bureau. *Success at Work* (2006: 28) recognised trade union representatives to be 'a well regarded and important source of information and advice' but it is not only union members who would first go for help to trade union representatives in the workplace. Of those who would first consult union representatives nearly one in five (19 per cent) were not trade union members. Similarly one in four (24 per cent) of those who would go first to a trade union outside the workplace are not trade union members.

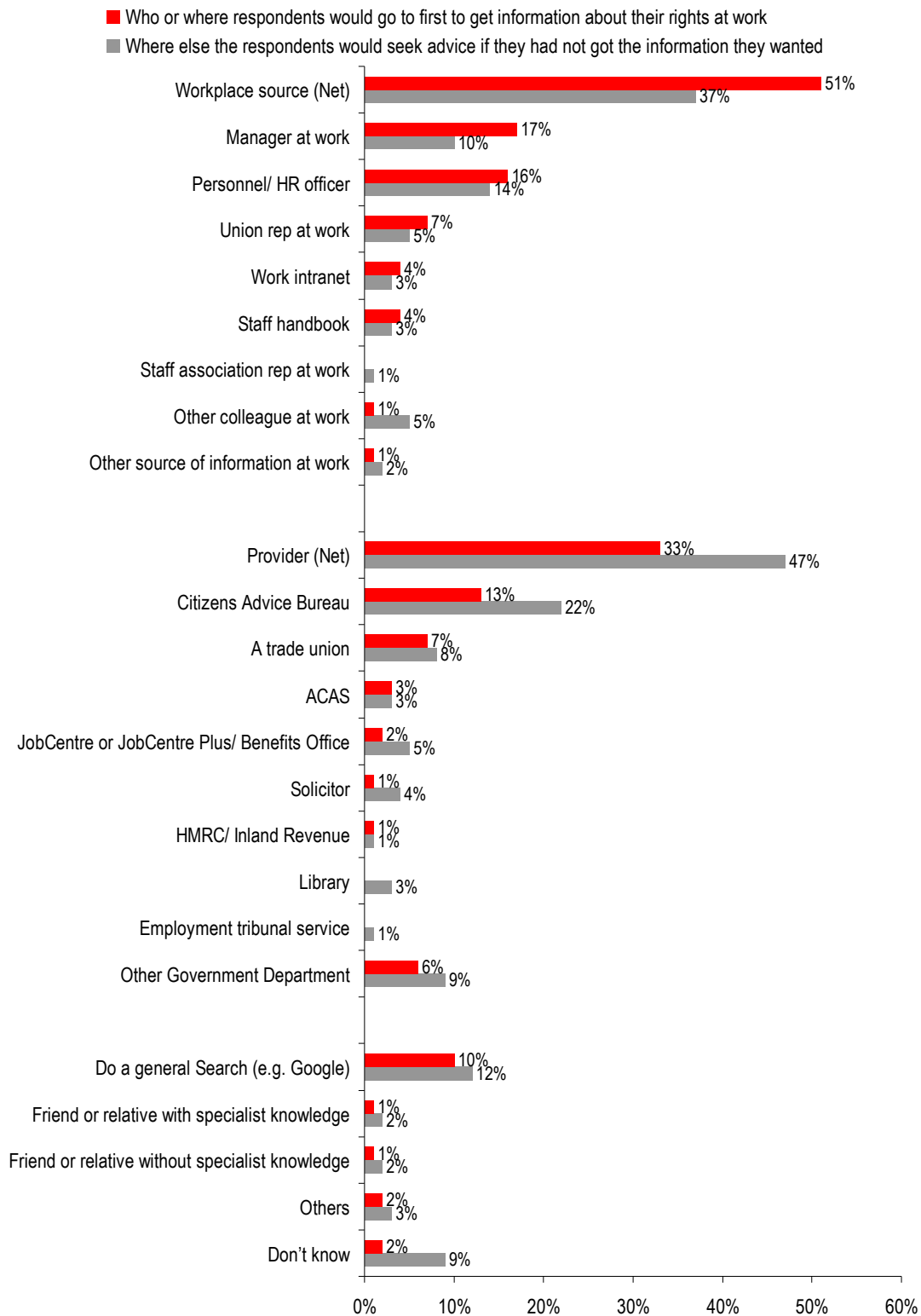
Amongst other sources of information, web sources (a Google search for instance), which were cited by 10 per cent of respondents, were more important than resort to friends or relatives with or without specialist knowledge (2 per cent) and certainly more common than going to the library. Smaller proportions of respondents cited a range of other sources shown in the table.

When respondents were asked where they would go if they could not get advice from the source that they had approached initially more of them cited

sources outside the workplace, and respondents who referred to a non workplace provider rose from 33 to 47 per cent. Although exact comparison with the 2005 Employment Rights at Work Survey (ERWS) is not possible, this shift is in line with the earlier finding (2005 ERWS:135).

In both the 2005 and 2008 surveys it is also the case that the Citizens Advice Bureau is the single institution that is favoured most by this shift. In both surveys the Citizens Advice Bureau was found to be the second port of call for 22 per cent of all respondents.

Chart 4.3 Where respondents who go first and subsequently to find information on their rights



Source: BIS's FTWS 2008

Base: All respondents that were asked Q4.2 and Q4.B3 (weighted = 2,615, unweighted = 2,623); Q4B.3 All respondents apart from those that did not know where they would first go to get information (weighted = 2,569, unweighted = 2,576)

4.3.1 Sources of Information concerning the National Minimum Wage

All respondents were asked where they would go first in order to find out about the National Minimum Wage.

And if you wanted to find out about the National Minimum Wage, where would you go to first in order to get this information?

The balance between workplace and provider sources differs from that elicited in response to the question about where respondents would go to find information about unspecified rights at work (cf. Chart 4.3 and Chart 4.4). In the case of the National Minimum Wage fewer respondents said that they would first go to a source inside the workplace (19 per cent) and more respondents said they would go to one of various service providers (42 per cent).

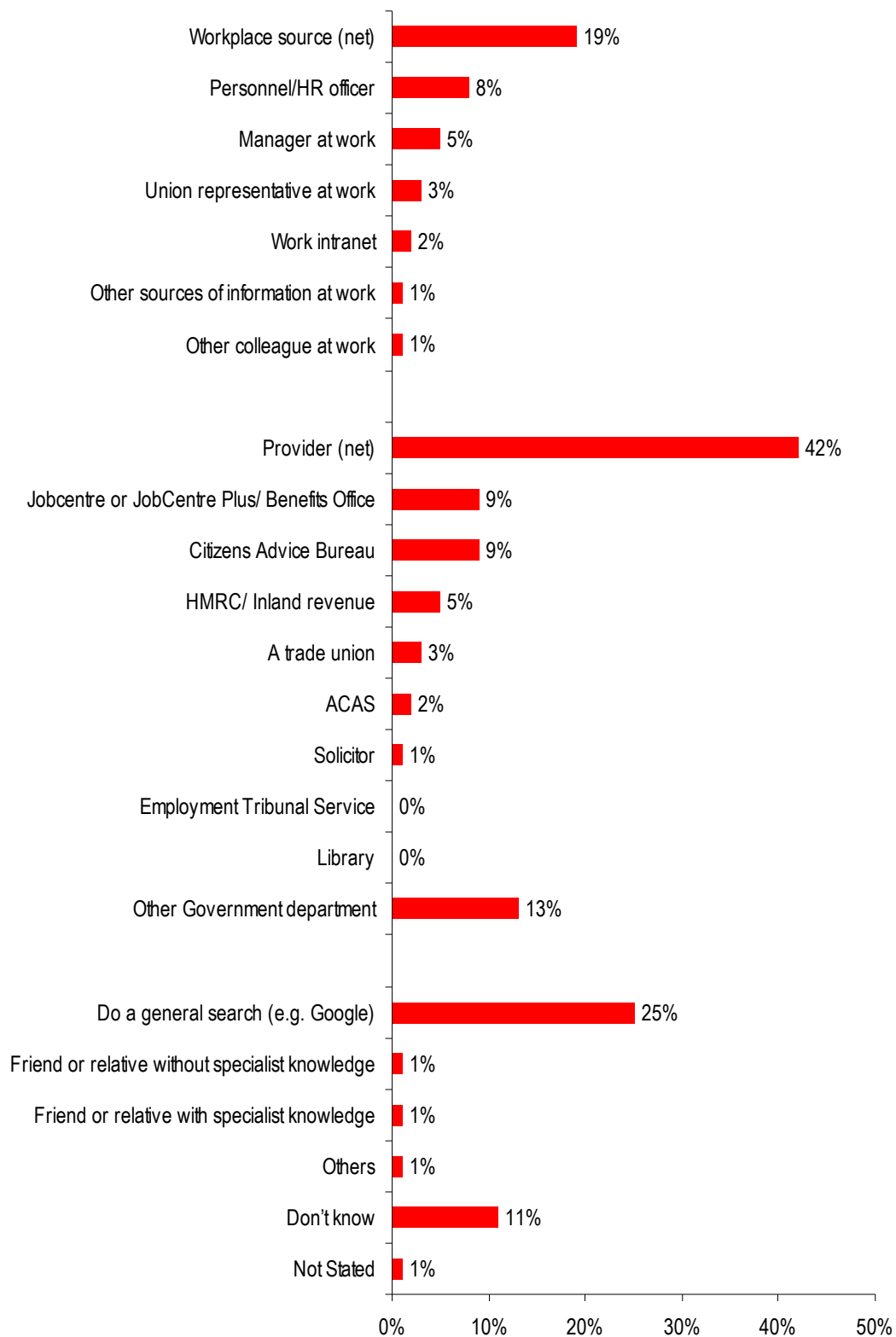
A quarter of respondents said they would do a general web search compared to only one in ten when unspecified rights were asked about. Examination of these responses indicates that use of the web is a function of social stratification (30 per cent of those in managerial and professional occupations would use the web, 25 per cent of those in intermediate occupations and 19 per cent of those in routine and manual occupations). It is particularly related to educational qualification: 31 per cent of those with higher degrees would use the web compared to 7 per cent of those with those with no academic qualifications. A generational dynamic can also be seen to be at work: 34 per cent of those aged 16-24 would use the web compared to 25 per cent of those aged 25-49 and only 17 per cent of those aged 50 and over.

Government Departments account for over a quarter of sources but voluntary associations contribute a further 15 per cent (CAB 9 per cent and trade unions inside and outside work 6 per cent).

The most remarkable finding is the lack of mention in the responses of the NMW helpline. This was mentioned by only 4 respondents out of over 2,600 (it is included in the Chart under the category 'Others'). However, this helpline is now part of the integrate Pay and Workers Rights helpline, which will be publicised as part of a Government awareness campaign from late September 2009, so this may change in future surveys.

Also of note is that 11 per cent of respondents replied to this question that they did not know where to go to get such information (a higher proportion than the 2 per cent who had made such a response to the general question in Chart 4.3).

Chart 4.4 Where respondents would go to find information on the NMW



Source: BIS's FTWS 2008
 Base: All respondents that were asked Q4.9 (weighted = 2,615, unweighted = 2,623)

Further detail on respondents who do *not* know where to go to find help about the National Minimum Wage is provided in Table B4.5. It can be seen that these respondents belong to what are generally regarded as vulnerable categories with respect to employment rights

- Those in non permanent jobs
- Those without academic qualifications
- Those categorised as BME/other respondents
- The non-UK born
- Younger workers
- Those in micro firms

Other categories also yield significant but less extensive differences: for example those on part time contracts were more likely not to know where to go to get information on the National Minimum Wage than those on full time ones, those earning less than £15k per annum compared to those on higher incomes and those in workplaces without HR departments.

In addition, 32 per cent of those who were reported by interviewers to have 'some difficulty' with English were significantly more likely not to know where to go

As against this, respondents who had experienced problems were significantly less likely to say they did not know where to go than those who had not experienced problems.

4.4 Method of approach to providers

Information and advice on rights at work may be sought in various ways (by phone, internet, personal contact and so on). Respondents were asked three questions that relate to such methods of approach:

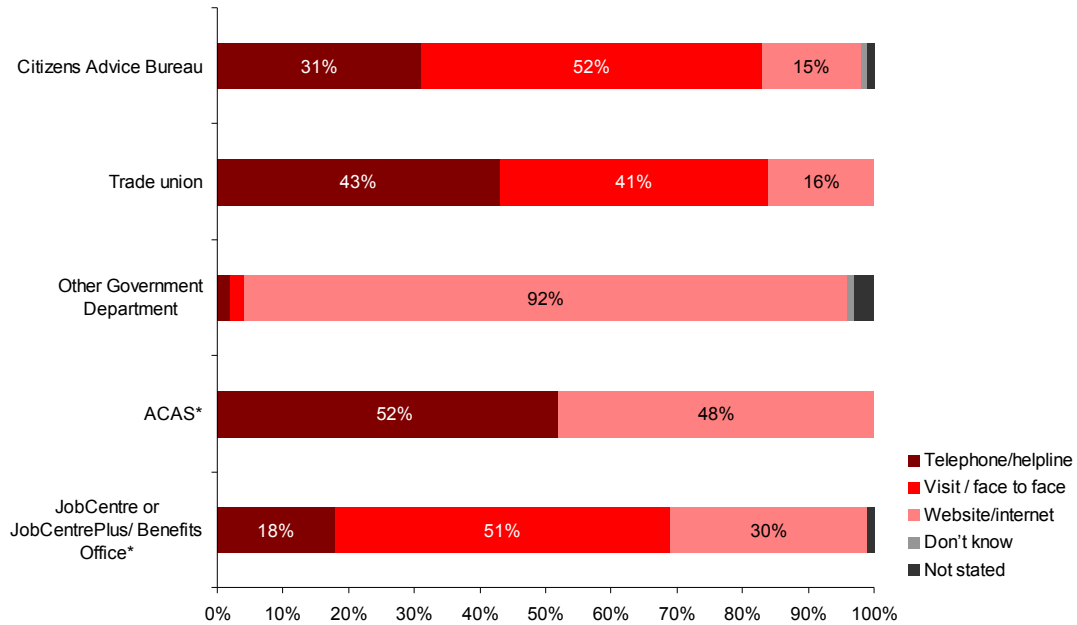
- how they would approach the provider to whom they would go first to enquire about (unspecified) rights at work
- how those who said they would go to Acas if they could not get such information from their first provider would access this information
- how they would approach their provider of first choice if they wanted to find out about the National Minimum Wage.

Approaches to a provider for information on rights at work, respondents who had cited a provider that they would go to first in order to find information on their (unspecified) employment rights were asked how they would approach them (Q4.2a):

How would you get the information from [name of provider]?

Out of the providers for which reliable information is available the two most commonly used, trade unions and the Citizens Advice Bureau, are the least likely to be approached by website/internet. This contrasts with approaches to Government departments which the overwhelming proportion of respondents say they would approach in this way (Chart 4.5).

Chart 4.5 How respondents would contact information providers



Note: Caution - * Small base

Source: BIS's FTWS 2008

Unweighted base: All respondents that would first go to each source to find out about their rights at work from Q4.2a - Citizens Advice Bureau = 363; Trade union = 195; Other Government Department = 141; ACAS = 71; JobCentre or JobCentrePlus/ Benefits Office = 61

Approaches to ACAS: It was seen earlier that 3 per cent of respondents would go to Acas as their first source in order to find information on employment rights. A further 3 per cent replied that they would go to Acas if they failed to get the information that they needed from their first choice source. The latter were asked :

How would you get the information from ACAS? (Q4B.3a)

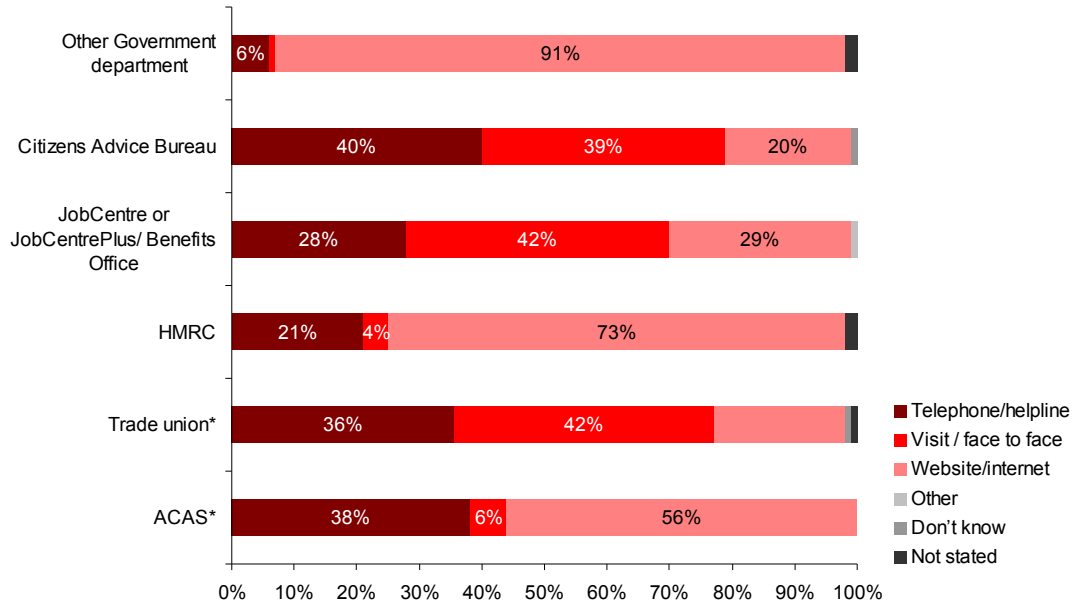
Unfortunately, the small base for this question (there are only 88 weighted cases) means that there are no significant differences to report for our standard break variables.

Approaches in connection with the National Minimum Wage (NMW): Respondents who named a provider that they would go to in order to get information on a specific right, the National Minimum Wage, were also asked: Q4.9a)

How would you get the information from [name of provider]?

The methods used to get information about the NMW from providers (Chart 4.6) point to the importance of the web for access to Government departments with the exception of JobCentres and the importance of face to face relations and telephone contact for the CAB.

Chart 4.6 How respondents would contact NMW providers



Note: Caution - * Small base

Source: BIS's FTWS 2008

Unweighted base: All respondents that would first go to each source to find out about the National Minimum Wage from Q4.9a - Other Government department = 345; Citizens Advice Bureau = 266; JobCentre or JobCentrePlus/ Benefits Office = 219; HMRC = 112; Trade Union = 80; ACAS = 54

Comparison between the methods that respondents would use to get information from particular providers regarding unspecified rights (Chart 4.5) and what methods they would use to get information from named providers specifically on the NMW (Chart 4.6) is difficult because of the low number of cases for many of the providers. It is clear, however, that Government departments are most likely to be approached by website/internet; both with respect to unspecified rights and NMW rights, and that such methods are a minority practice with respect to trade unions and Citizens Advice Bureau and to some extent JobCentres.

4.5 Summary

What is known about employment rights support?

- 85 per cent of respondents claim to know where to find information on rights at work and there has been a significant improvement from 76 per cent in 2005.
- Each of two different measures of awareness/knowledge has a significant association with respondents' belief that they know where to find information which suggests a move from Step One to Step Two of the employment rights framework.
- Multivariate analysis, prior to the attempt to take account of the effects of the measures of awareness/knowledge, indicates that belief in knowing where to get support for (unspecified issues) is positively associated with:
 - The respondent performing managerial/supervisory duties;
 - The respondent receiving equal opportunities training;
 - Trade union membership;
 - Being white rather than BME/other;
 - Being UK born
 - Attaining higher levels of education;
 - Having children in the household;
 - Not having experienced problems at work

Awareness of national organisations

- The CAB is known by nearly all respondents, nearly eight out of ten know of the HSE and DirectGov is known to over half. BERR (now part of BIS) and the EAS are less well known
- The NMW Helpline and especially the GLA are very poorly known.

Characteristics of those who are more aware of these organisations

- Those in workplaces with various corporate characteristics.
- Those in managerial positions, also those in permanent and in full time jobs, trade union/staff association members, those with long periods of service and those who have received equal opportunities training
- Whites, the UK born, those with higher academic qualifications and older workers (except for the web based DirectGov about which younger workers are more knowledgeable).
- Those who have experienced problems do not differ from those who have not in their knowledge of national organisations in most cases

Where respondents would go to find information

- Half of respondents would go first to a workplace source
- If unsuccessful in their initial choice more respondents would go outside the workplace, with more use being made of the CAB.

Where respondents would find information on the NMW

- More respondents said they would go to an outside provider than to a workplace source.
- A quarter would do a general web search, this response being positively associated with higher social status and a generational difference whereby young workers were more likely to do this.

- Government departments account for over a quarter of sources but voluntary associations contribute a further 15 per cent (CAB 9 per cent and trade unions inside and outside work 6 per cent).
- The NMW helpline was mentioned by only 4 respondents out of over 2,600.
- The minority of respondents who were more likely to *not* know where to go to find help about the National Minimum Wage include those who belong to what are generally regarded as vulnerable categories with respect to employment rights:
 - those in non permanent jobs
 - those without academic qualifications
 - BME/other respondents
 - the non-UK born
 - younger workers
 - those in micro firms
 - but respondents who had experienced problems were less likely to say that they did not know where to go than those who had not.

Method of contact with providers

- Government departments are much more likely to be approached by the internet than are the Citizens Advice Bureau or trade unions whether with respect to unspecified enquiries or specifically with reference to the National Minimum Wage

5 An introduction to problems at work

From awareness of employment rights and the support available we now turn to how the survey was structured to collect information on problems experienced at work. The methodology adopted in 2008 brought together the different approaches taken in the 2005 Employment Rights at Work Survey (ERWS) with the 2005 Fair Treatment at Work Survey (FTWS), by asking about problems related to specific employment rights alongside questions about sex-based harassment, other forms of bullying and harassment, other serious problems and an expanded set of questions on unfair treatment and discrimination.

The 2008 FTWS first asked respondents if they had experienced problems to do with 18 specific employment rights in the last five years. Respondents were asked to say whether each problem to do with a specific right took place at their current (or most recent if not currently employed) employer, or with a previous employer, or whether they had not had this problem at all.

The reference period of five years was chosen for comparability with the 2005 ERWS. However, whether it had been experienced in the last two years was also asked for each problem. Next respondents were asked how many separate problems they had to do with employment rights in the last five years (as different issues could form part of the same overall problem). For problems to do with pay, a follow-up question collected details on what was the specific problem.

For unfair treatment, discrimination, sex-based harassment and bullying and harassment, the reference period was set at two years, in line with the 2005 FTWS. All respondents were asked whether, in the last two years, they had ever been treated unfairly compared to others in their workplace, and whether they thought they had experienced discrimination at work. Again, problems at a current (or most recent) employer were recorded separately from those at a previous employer.

Sex-based harassment was defined as 'any unwelcome sex or gender related behaviour that creates a hostile working environment'. Respondents were asked whether they had experienced this in the last two years. Sex-based harassment that was sexual in nature was recorded separately from that which was related to being a man/woman. Next respondents were asked about other forms of bullying and harassment (not sexual harassment) that create a hostile working environment, and whether they had experienced this in the last two years (as before, separately recorded for current/most recent employer and for a previous employer).

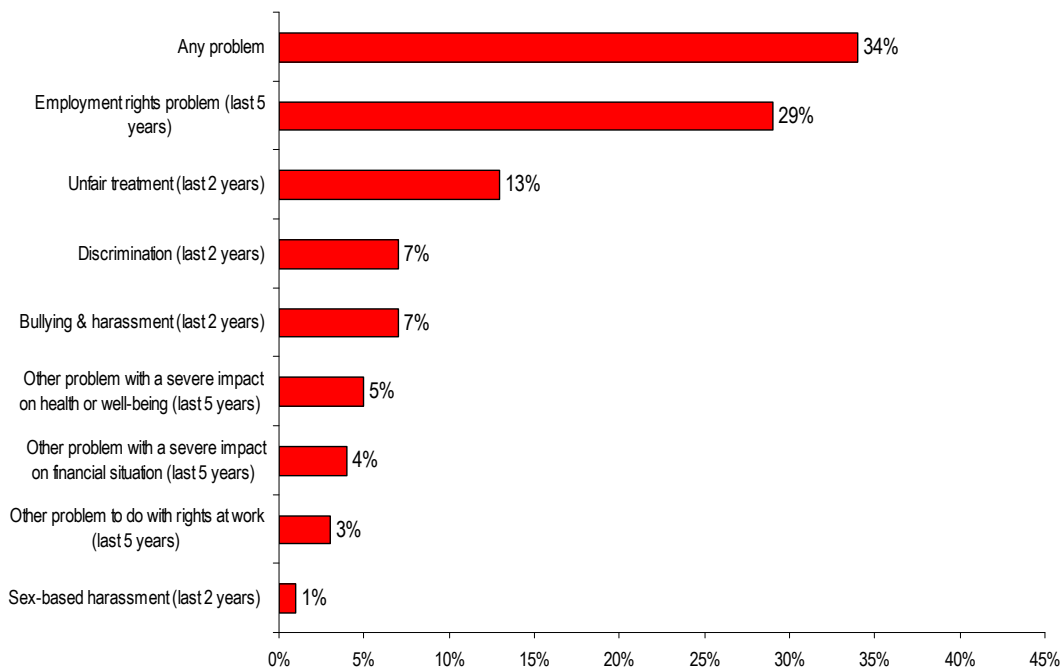
Lastly respondents were asked whether they had experienced any other serious problems at work in the last five years, to do with your rights at work, which have had a severe impact on your physical or psychological health/well-being or which have had a severe impact on your financial situation. This short chapter provides an overview of:

- respondents who had any problem and the significance of any workplace, job or individual characteristics to having problems (Section 5.1);
- respondents' experience of multiple problems and the most common combinations (Section 5.2);
- and problems experienced in the last two years placing all problems on the same time scale (Section 5.3).

5.1 Experience of any problems

Chart 5.1 shows the proportion of respondents who had experienced each of the categories of problem described above, together with the proportion experiencing any problems¹⁰. Around a third of respondents had experienced any of these problems at work, with the most common category being employment rights problems (29%), followed by unfair treatment (13 per cent).

Chart 5.1 Experience of problems



Source: BIS's FTWS 2008

Base: All respondents asked Q5.1, Q5.3b, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8 (4010 unweighted, 4010 weighted)

Table B5.1 shows bivariate analysis of experience of any of these problems, by region, workplace, job and individual characteristics. The key differences were as follows:

National and workplace characteristics, respondents in Wales (44 per cent) were more likely to have experienced problems compared with England (34 per cent) and Scotland (30 per cent), as were workers in third sector

¹⁰ It should be noted that 'any' problems does not include the category 'other serious problems which have had a severe impact on your financial situation', as this category was not included in the follow-up questions on details of problems and problem resolution. 10 respondents reported a problem in this category but not in any other.

organisations (46 per cent) compared with Private (33 per cent) and Public (35 per cent) sector.

Job characteristics, those in routine and manual occupations (36 per cent) were more likely to experience problems compared with managerial and professional occupations (31 per cent). Also respondents who are not currently in employment (50 per cent) compared with current employees (32 per cent), or with more than one job (47 per cent) compared with one job (32 per cent). Those with up to one year’s service (41 per cent) were more likely compared with 3 to 5 years (30 per cent), 6 to 15 years (33 per cent) and more than 15 years (30 per cent). Finally, those earning under £15k per year (38 per cent) and £15k-£24.99k (40 per cent) were more likely to experience problems compared with £25k-£39.99k (27 per cent) and £40k+ (28 per cent).

Individual characteristics, women (36 per cent) were more likely to experience problems compared with men (31 per cent). Respondents with a longstanding illness or disability (49 per cent) compared with those without (32 per cent), and gay/lesbian/bisexual respondents (51 per cent) compared with heterosexual (33 per cent).

The three main categories of problem (employment rights, unfair treatment/discrimination, sex-based harassment/ bullying and harassment) are all discussed further in Chapters 6 and their interactions with different workplace, job and individual characteristics examined in detail throughout Chapters 7 - 9.

5.2 Experience of multiple problems

As might be expected there was considerable overlap between experiences of different categories of problem, with a significant proportion of respondents experiencing problems in more than one category. As Chart 5.2 shows, around one in six respondents experienced more than one category of problem. Over half of respondents who had experienced any problems, experienced more than one category.

Chart 5.2 Overlaps between different categories of problem*

	Per cent
% that have had none of these problems	66
% that have experienced only one of these categories	16
% that have experienced two of these categories	8
% that have experienced three of these categories	5
% that have experienced four of these categories	3
% that have experienced five of these categories	1
% that have experienced six of these categories	1
% that have experienced seven of these categories	-
% that have experienced all of these categories	-

Note: *=8 categories defined as (1) employment rights, (2) unfair treatment, (3) discrimination, (4) bullying, (5) sexual harassment, (6) other problem to do with rights at work, (7) other problem with severe impact on health or wellbeing and (8) other problem with severe impact on financial situation. '-' =less than 0.5%

Source: BIS’s FTWS 2008

Base: All respondents asked Q5.1, Q5.3b, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8 (4010 unweighted, 4010 weighted)

Chart 5.3 shows the extent of multiple problems, among respondents who experienced any problems. The chart shows combinations reported by at least 2% of respondents. The most common combination was employment rights with unfair treatment (12 per cent), and the range of other combinations with employment rights made up a further 25 per cent.

Chart 5.3 Combinations of problem experienced

	Per cent
Employment rights problem only	38
Employment rights and unfair treatment	12
Employment rights and unfair treatment and discrimination	4
Employment rights and unfair treatment and discrimination and bullying & harassment	4
Employment rights and bullying & harassment	3
Unfair treatment only	3
Employment rights and other problem with a severe impact on health	3
Discrimination only	2
Bullying & harassment only	2
Other combinations with Employment rights	25
Other combinations without Employment rights	5

Note: *=less than 0.5 per cent

Source: BIS's FTWS 2008

Base: Respondents who had a problem at work from Q5.1, Q5.3b, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8 (1325 unweighted, 1340 weighted)

5.3 Problems in the last two years

As noted above, the reference periods in the 'any problems' calculation are different for different categories of problem. This section considers problems experienced in the last two years only, to give a better picture of overlap within a set time period. Information on experience of problems in the last two years is available for employment rights problems, unfair treatment, discrimination, sexual harassment and bullying.

The proportion of respondents who had experienced a problem to do with employment rights in the last two years was 24 per cent (compared with 29 per cent in the last five years). We should, however, remember that the difficulties of recalling problems over a longer period are likely to depress the proportion of the sample reporting problems in the last five years. As Chart 5.4 shows, those who had experienced any of the other categories of problem were around three times as likely as respondents in general to report a problem to do with employment rights.

Chart 5.4 Employment rights problems in the last two years

	% of this group reporting a problem to do with employment rights in the last two years	Mean number of employment rights problems in the last two years*	Standard error of the mean	Weighted base	Un-weighted base
All	24	2.2	0.16	4010	4010
All those who experienced unfair treatment	78	2.6	0.26	538	538
All those who experienced discrimination	74	2.7	0.17	296	289
All those who experienced sex-based harassment	76	2.1	0.29	50	50
All those who experienced bullying and harassment	76	3.2	0.48	288	291

* Mean number of problems based on those experiencing at least one problem
Source: BIS's FTWS 2008 Q5.1, Q5.3b, Q5.4, Q5.5, Q5.6, Q5.7
Base: All respondents (4010 unweighted, 4010 weighted)

For those who had experienced discrimination, and those who had experienced bullying and harassment, the mean number of employment rights problems experienced was significantly higher than for all (2.7 and 3.2 respectively, compared with 2.2), indicating that not only were these groups more likely to experience employment rights problems at all, those who did experience a problem also experienced more separate problems.

5.4 Summary

Experience of any problems

- Around a third (34 per cent) of survey respondents had a problem at work. This covered:
 - employment rights (29 per cent) in the last 5 years,
 - unfair treatment (13 per cent) in the last 2 years,
 - discrimination (7 per cent) in the last 2 years,
 - bullying/ harassment (7 per cent) in the last 2 years,
 - other problems with a severe impact on health/ well-being (5 per cent) in the last 5 years,
 - other problems with a severe impact on your financial situation (4 per cent) in the last 5 years,
 - other problems with rights at work (3 per cent) in the last 5 years,
 - and sexual harassment (1 per cent) in the last 2 years.

Experience of multiple problems

- Over half of respondents who had experienced any problems, experienced more than one category (as described above).

Problems in the last 2 years

- The proportion of respondents who had experienced a problem to do with employment rights in the last two years was 24 per cent (compared with 29 per cent in the last five years).

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- Those who had experienced any of the other categories of problem were around three times as likely as respondents in general to report a problem to do with employment rights.
- For those who had experienced discrimination or bullying/harassment, the mean number of employment rights problems experienced was significantly higher than for all (2.7 and 3.2 respectively, compared with 2.2).

6 How common are problems at work?

In this chapter, we will look in more detail at the problems introduced in Chapter 5 and show that not only do British employees *feel* better informed than they did in 2005 but, by and large, employees are also reporting less problems with individual rights at work. By any standard, this suggests a remarkable, comprehensive improvement over a relatively short period. On this evidence at least, it seems as if the employment rights framework can be judged a success. In this chapter we will show that, for almost all types of problem workers might experience with their rights, and even for some problems such as bullying and negative behaviour where the relevance of the current employment rights framework is a more complex question, the proportion of employees who report such problems is now in single figures. This chapter is organised as follows:

- Section 6.1 details trends in the type of employment rights problem and explains which types of problem have declined since 2005 Employment Rights at Work Survey (ERWS) and which remain the most common in the working population as a whole. The section also explains some of the difficulties of establishing the prevalence of particular problems within those groups which might be thought to be most vulnerable to them. The section concludes with a look at the distribution of problems between current and former employees and trends in the experience of both any problem and multiple problems.
- Section 6.2 provides similar detail on unfair treatment and discrimination. After explaining the difficulty of making comparisons with other surveys as a result of methodological improvements, it describes the explanations which respondents gave for the unfair treatment or discrimination they reported. The section then explains which types of behaviour respondents recalled when they were asked what the unfair treatment or discrimination was related to. We then draw on these findings in a discussion of the relevance of the unfair treatment or discrimination reported in the 2008 FTWS to UK equalities legislation.
- Section 6.3 discusses the prevalence of, and trends in, harassment, including sex harassment, and bullying. It also introduces the results of some questions on the prevalence and frequency of various types of negative behaviour in the workplace which may or may not be labelled as bullying or harassment by those who experience them.
- Section 6.4 describes the prevalence of further types of employment problem not covered by Sections 6.1 to 6.3.
- Section 6.5 reports which of the problems discussed in this chapter featured amongst the most serious problems reported by respondents.

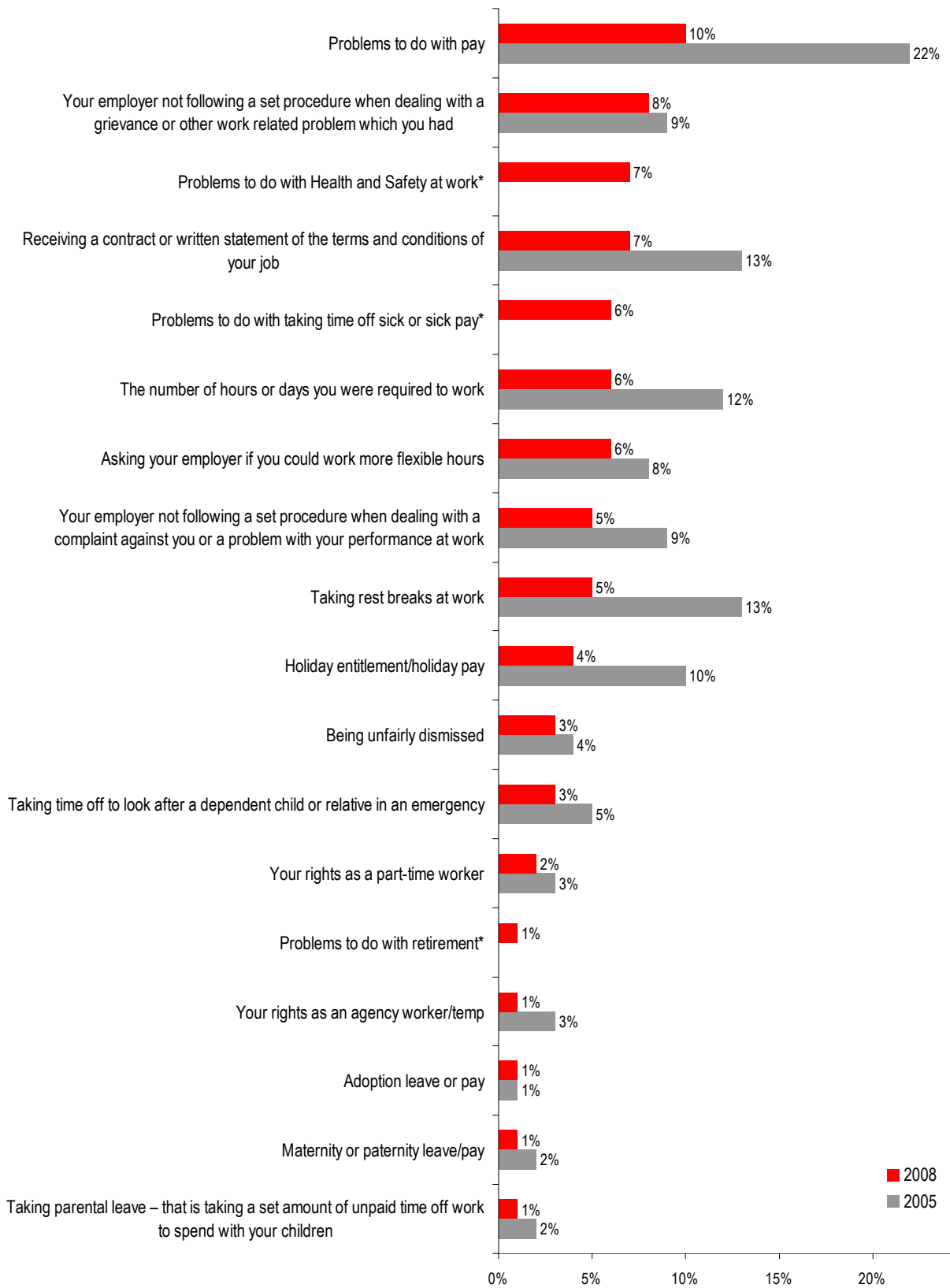
6.1 Problems with Employment Rights

Chart 6.1 shows that in all but one case (adoption leave/pay) the proportion of the sample reporting a particular problem at work in the last five years declined between 2005 and 2008 and often declined substantially. In several cases the fall was of the order of 50 per cent or more – a remarkable change in such a short period of time. There are no comparisons for retirement, health and safety at work, and taking time off sick, or sick pay, since none of these questions were asked in 2005. It is worth highlighting those areas in which the most substantial improvement occurred: problems to do with pay; receiving a contract or written statement of the terms and conditions of your job; the number of hours or days you were required to work; taking rest breaks at work; holiday entitlement/holiday pay; your employer not following a set procedure when dealing with a complaint against you or a problem with your performance at work.

Care should be taken with the interpretation of the results in Chart 6.1. The percentages reported here refer to the proportion of the whole sample experiencing each of these problems. These findings help us to understand the scale of any particular problem, for example problems with an employment contract or with health and safety affect one in fourteen employees. While this information is important, readers may also want to know how common particular problems are amongst particular sub-samples who are more likely to be exposed to them. Providing this kind of information is not such a straightforward matter.

For example, 3 per cent of the sample reported problems with taking time off to look after a dependent child or relative in an emergency but we might expect the proportion of respondents with dependent children who reported this particular problem would be much higher. Similarly, we would expect the proportion of part-time employees reporting problems with their rights as a part-time worker to be higher than 2 per cent found across the sample. It would, however, be a mistake to assume that problems which seem to be specific to a particular sub-sample are only reported by that sub-sample.

Chart 6.1 Experience of problems with rights at work, 2005 and 2008



Source: BIS's FTWS 2008, ERWS 2005

*Not asked in 2005

Unweighted base : In 2008, all respondents asked Q5.1 (4010)

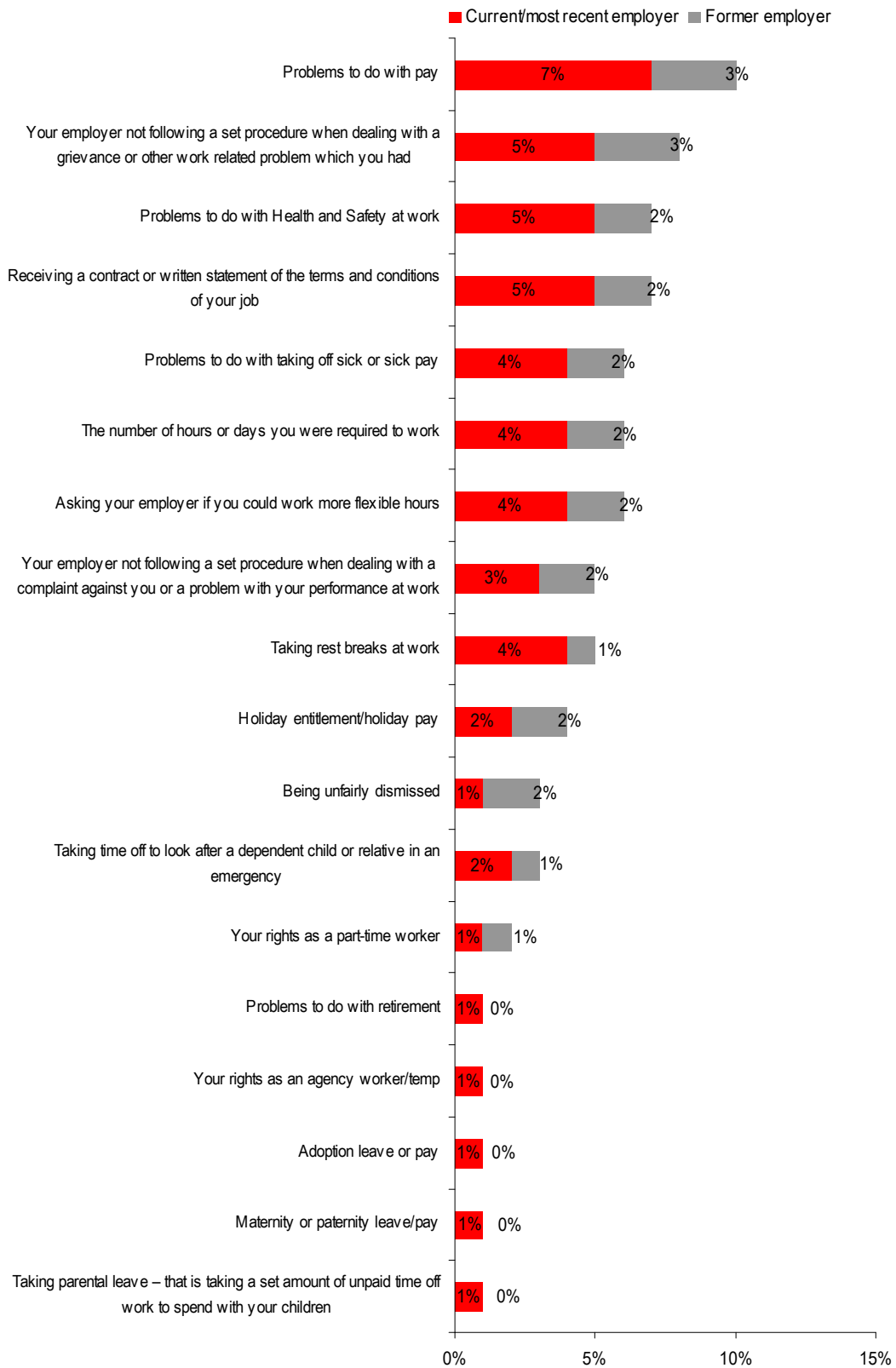
The example of problems with rights as an agency or temporary worker illustrates this point. One per cent of all respondents said they had experienced a problem of this kind but further analysis shows more than one in eight of those respondents working as temporary workers with agencies reported this problem with a current or previous employer. Interestingly, nearly half of those who said they had such a problem with their current employer in the last five years were in permanent jobs, and the majority of those who said they had such a problem with their previous employer were in permanent jobs¹¹.

In part, these results may be explained by the difficulties of capturing all agency work with the standard question asked in Government surveys. Some of those who answer such questions by saying they are in permanent work are in fact on agency contracts but do not think of themselves as temporary workers. On the other hand, some employees progress to permanent jobs with the employer in which they have been placed by the agency. This might also explain why those who said they had an agency rights problem with their current employer were in permanent jobs.

Chart 6.2 shows the distribution of each of the problems experienced over the last 5 years in current and former employers. Chart 6.3 shows the experience of problems (expressed as a percentage of all respondents) over the last 2 years. Both of these charts suggest that there has been very little change in the type of problems which employees have experienced. The same seven or eight types of problem remain the most common whether we are considering problems with a former employer over the previous five years, problems with a current employer over the previous five years or problems with a current or former employer in the previous two years.

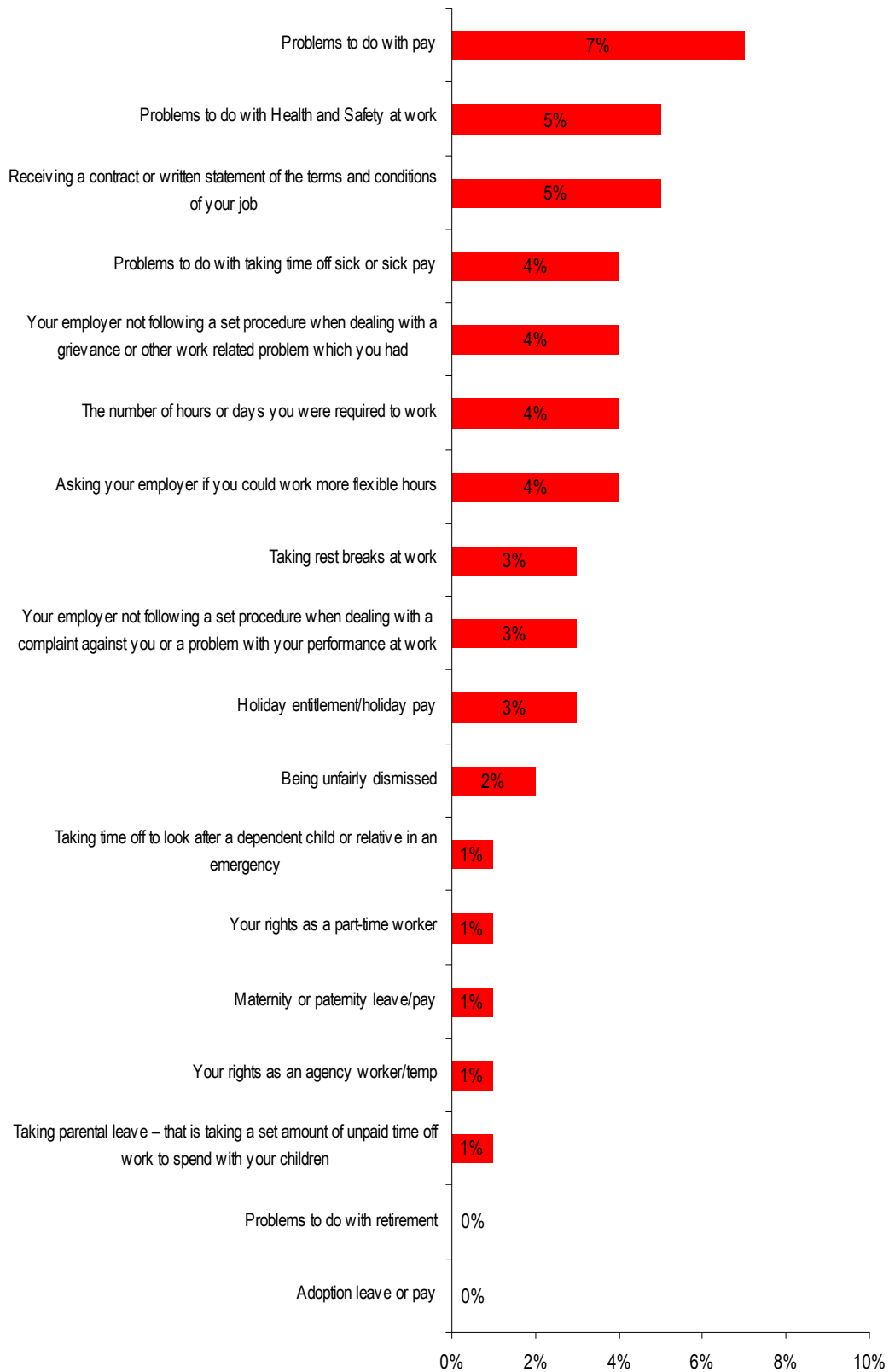
¹¹ This does not mean that agency workers report less problems at work. Although non-permanent status does not emerge as a significant variable in any of the final regression models reported in subsequent chapters, agency workers were more likely to experience a problem of any kind. Half of agency workers reported some sort of problem at work as against a third of permanent workers. That non-permanent work does not emerge as a significant variable is partly explained by the small numbers of agency workers in the sample and partly by the fact that those in other types of non-permanent work (casual, fixed-term and so on) were less likely to report any sort of problem at work than those in permanent jobs.

Chart 6.2 Experience of employment rights problems in the last 5 years



Source: BIS's FTWS 2008
 Unweighted base : All respondents asked Q5.1 (4,010);

Chart 6.3 Experience of employment rights problems in the last 2 years



Source: BIS's FTWS 2008

* Base=All respondents asked Q5.2 (unweighted base=4010).

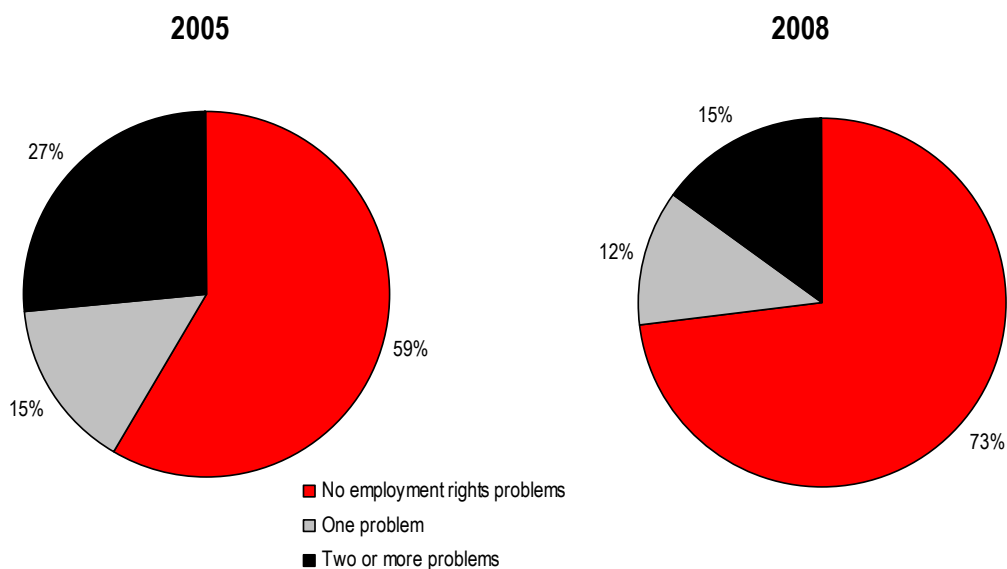
In addition to being asked if they had experienced each of the problems in Charts 6.1 – 6.3, respondents were also asked if they had experienced multiple problems. Because it was recognised that the reports under different items might refer to the same problem, for example problems with pay might overlap with problems with holiday or maternity pay, respondents were asked:

‘In total, how many separate problems to do with your rights at work have you personally had?’

This question was asked at the end of the list of problems in Charts 6.1 – 6.3 and before a respondent was asked questions about other serious problems to do with their rights at work, unfair treatment and so on. A little under a third of the sample (29 per cent) reported one or more problems in the last 5 years (84 per cent of these people also said they had one or more problems in the last 2 years). Amongst those who reported problems in the previous five years, just over half (52 per cent) said they had one problem but the mean score for all those with problems was 2.4.

Chart 6.4 excludes questions which were only asked in 2008, and questions on unfair treatment which were asked in both surveys but in different ways, in order to compare the proportions experiencing no problems, one problem and more than one problem in each survey. In line with the findings already reported, the proportion of those who reported problems in the previous five years decreased markedly between 2005 and 2008 on a comparable basis overall from 41 per cent to 27 per cent, while the proportions reporting several problems also fell.

Chart 6.4 Experience of specific problems with rights at work, 2005 and 2008

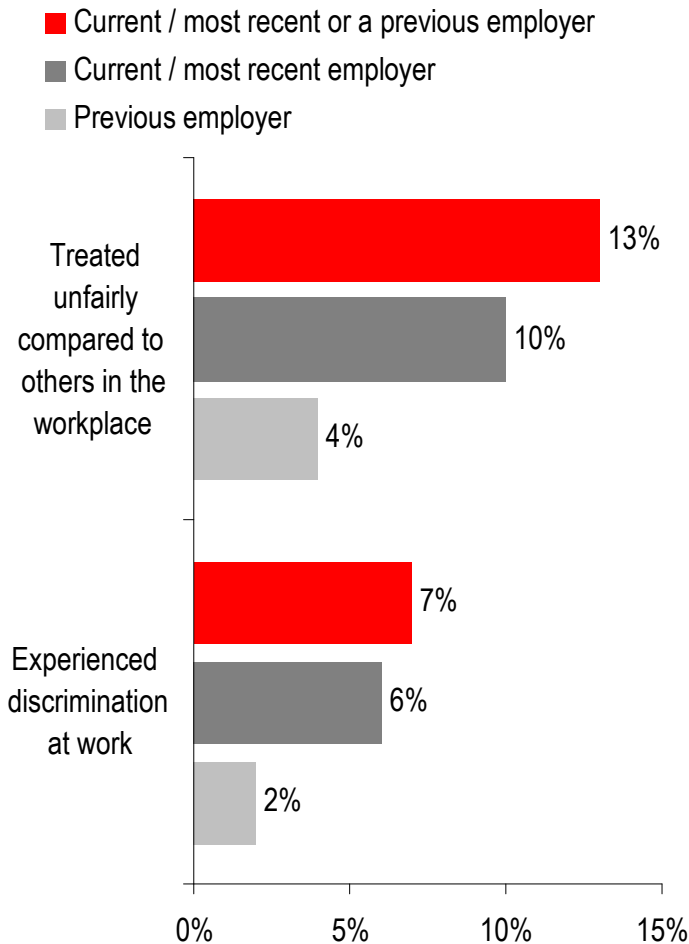


Source: BIS's FTWS 2008, ERWS 2005
 Note: Based on 15 problems which were asked about in both the 2005 and 2008 surveys

6.2 Unfair Treatment and Discrimination

Chart 6.5 describes the experience of unfair treatment and discrimination with current and most recent employers. No comparisons can be provided with the 2005 FTWS figures as the questions in the 2008 survey have been widened in scope.

Chart 6.5 Experience of unfair treatment and discrimination at work



Source: BIS's FTWS 2008

Base: All respondents asked Q5.4 and Q5.5 (unweighted base = 4010)

We need to explain why comparability was sacrificed in favour of more comprehensive questions. First, a good measure of perceived fair treatment – not available in any other large-scale, representative survey – was an important objective of the whole survey. For example, the rationale behind the 2005 pilot for the FTWS included the important point that survey data on unfair treatment could make an important contribution to the identification of vulnerable workers. In order to maximise the use of a fair treatment measure for this and other purposes, we made changes to the 2005 question which were designed to make it easier for respondents to recognise that the question was not simply concerned with complaints which could be made under the equality legislation then in force.

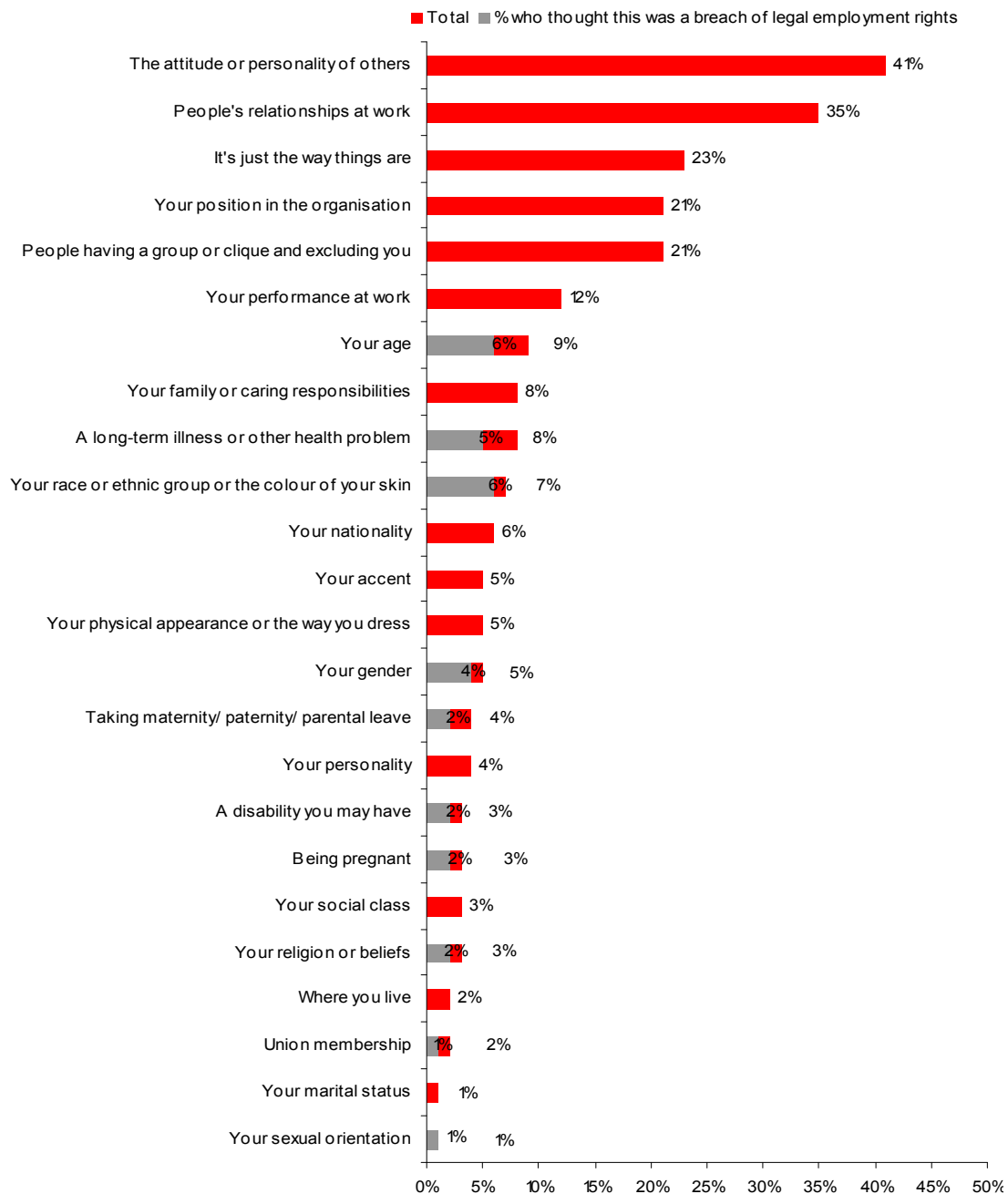
The 2005 FTWS questions were a refinement of the 2005 ERWS in this regard because several other alternative positive responses, in addition to the equality grounds, had been introduced. In fact, there were 19 possible reasons for unfair treatment in the 2005 FTWS and a minority of these were on equality grounds. We wanted to take this process a stage further by randomising the reasons for unfair treatment so that the equality grounds no longer appeared at the top of the list when this question was asked. We also wanted to ask about unfair treatment on its own and then ask about the reasons for it in a subsequent question to which more options were added. In 2005 the highest number of positive responses not related to equality grounds was 'the way I dress' and we considered that this might not be the full story.

Second, we wanted a direct measure of discrimination. For one thing, it was important to get a direct measure of this infringement of employment rights to help to complete the picture of infringements of employment rights represented in Section 6.1. Most importantly this meant, as for unfair treatment, asking if people felt they had experienced discrimination at work then, in a subsequent question, asking what the reasons for this perceived discrimination might be. A similar change was made to the discrimination questions for the 2008-9 Citizenship Survey. In fact the question on discrimination in the previous FTWS was only asked of those who had previously reported unfair treatment and we thought that it would be worth dispensing with this condition, and sacrificing comparability, in order to increase the coverage of the question. It subsequently transpired that nearly a quarter (22 per cent) of those who said yes to the discrimination question in 2008 would not have been asked this question in 2005.¹² Finally, as for unfair treatment, we wanted a more comprehensive list of reasons so that we could better capture the variety and complexity of the reasons people gave for experiencing discrimination.

Chart 6.6 summarises the reasons given for unfair treatment in 2008. Respondents were permitted to give as many reasons as they thought appropriate and many gave more than one. (There were 538 respondents to the question but they gave over a thousand responses.) The chart shows that the change in question structure and the expanded list of reasons for unfair treatment appear to have had the intended effect of gathering more comprehensive information about unfair treatment. Instead of appearing at the top of the list of reasons which were not equality grounds, 'your physical appearance or the way I dress' is much less significant than half a dozen other reasons, particularly 'the attitude or personality of others' and 'people's relationships at work'.

¹² In other words, people do not always equate discrimination with unfairness. Later in this section, we also show that people do not necessarily equate discrimination with behaviour which is targeted by equalities legislation. They are, however, a little more likely to do this with discrimination than with unfair treatment.

Chart 6.6 Reasons for experiencing unfair treatment*



Source: BIS's FTWS 2008

* Base=All who have been treated unfairly in the last two years from Q5.10a (unweighted base=538).

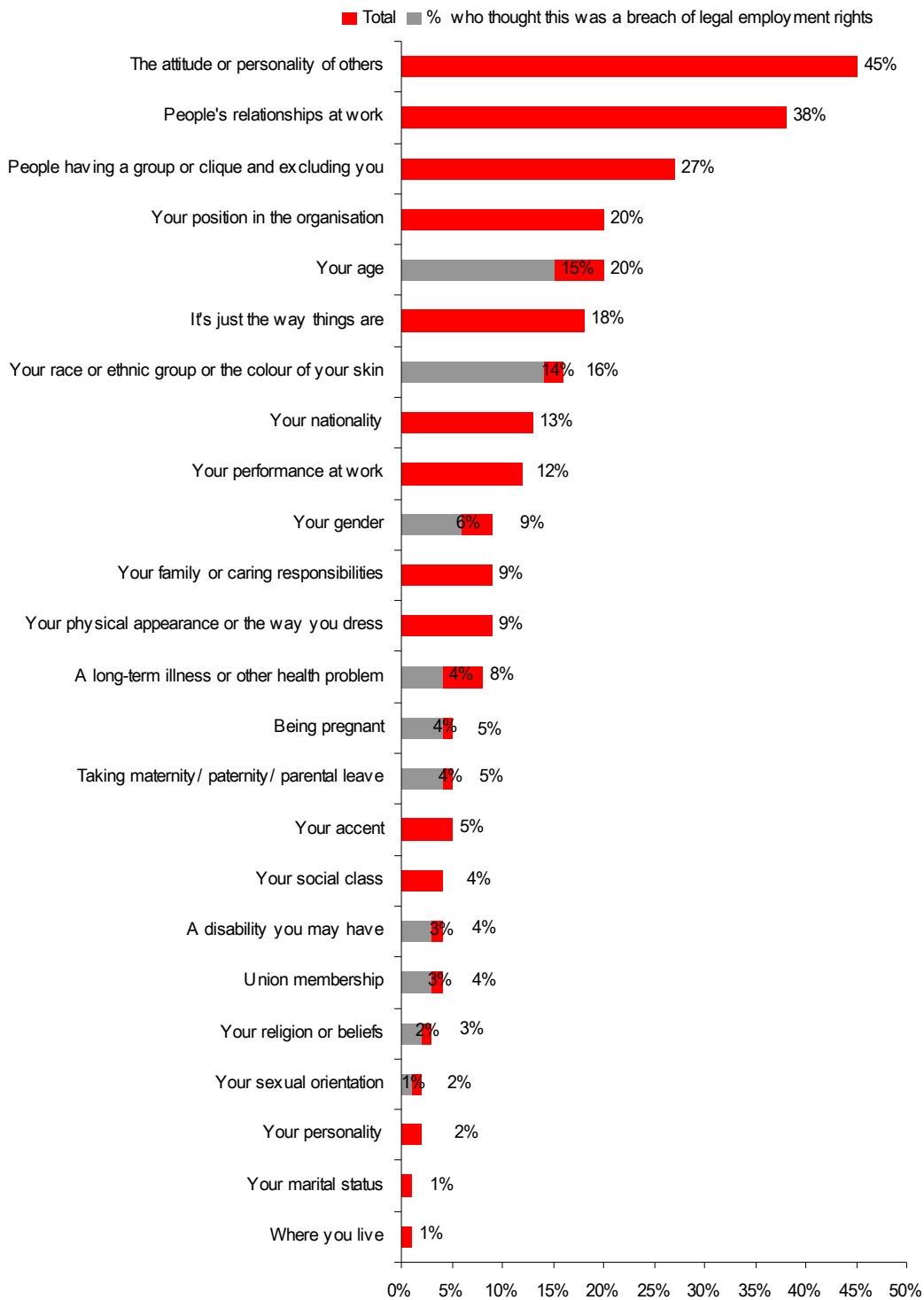
NB Whether the unfair treatment was a breach legal employment rights was asked for the categories indicated only.

The popularity of these responses confirms that an individualistic and/or psychological conception of unfair treatment is more common than the conception of unfair treatment as following from group membership, for example one of the groups covered by the equality grounds. Although 21 per cent reported unfair treatment because they were being excluded from a group, there is little evidence that this implied exclusion from a group defined by gender, ethnicity or any of the other equality grounds. The next two most popular reasons for unfair treatment were 'it's just the way things are' and 'your position in the organisation'. In other words, these respondents believed

their perceived unfair treatment was the result of the (formal or informal) operation of the organisation. In such cases, it is possible that they were not referring to unfair treatment they were receiving as an individual so much as unfair treatment of occupants of their job or organisational role. This might also have applied to some of the 12 per cent who reported unfair treatment because of 'their performance at work'.

Chart 6.7 summarises the reasons respondents gave when they reported discrimination. Once again, the chart shows that the change in question structure and the expanded list of reasons appear to have had the intended effect of gathering more comprehensive information about discrimination. Once again, understandings of discrimination rooted in individual psychology – 'the attitude or personality of others' and 'people's relationships at work' – are the most popular. Close behind them is the other individualistic option of 'people having a group and excluding you'. The change here, compared to Chart 6.6, is that 'it's just the way things are' has slipped down the list and is now overtaken by 'age'. All the same, note that, just as for unfair treatment, the equality grounds are not what the majority think of when they are asked for a reason why they might have suffered discrimination. In its own way, this is quite as remarkable as the findings of Rolfe et al (2009). Their report on the reasoning behind reports of discrimination in employment in the Citizenship Survey shows that data on perceptions of discrimination are a very poor guide to patterns of discriminatory behaviour.

Chart 6.7 Reasons for experiencing discrimination*



Source: BIS's FTWS 2008

* Base=All who have experienced discrimination in the last two years from Q5.10b (unweighted base=289).

NB Whether the discrimination was a breach legal employment rights was asked for the categories indicated only.

The report on the 2005 pilot for the FTWS summed all of the reasons for unfair treatment which might have been covered by the equality legislation. This meant adding unfair treatment because of pregnancy, for example, to gender; and unfair treatment because of nationality to race and ethnicity. The result of this procedure was that the frequency of claims of unfair treatment related to each of the grounds could be ranked in this order: long-term illness (3.8 per cent of all employees), age (1.9 per cent), race or ethnic group (1.6 per cent), gender (1.2 per cent), religion (1.0 per cent) and sexual orientation (1.0 per cent). Bearing in mind the change in question format between the two surveys, Chart 6.8 below reports on the equivalent results for 2008. Gender was the most popular equality ground; race/disability/age could not be separated, and then came religion and sexual orientation as before.

Chart 6.8 Personal experience of unfair treatment and discrimination at work in the last 2 years by equality strand

	Unfair treatment	Discrimination
Disability	1.2 per cent	0.7 per cent
Sex	1.5 per cent	1.3 per cent
Race	1.2 per cent	1.4 per cent
Age	1.2 per cent	1.5 per cent
Religion	0.4 per cent	0.2 per cent
Sexual orientation	0.2 per cent	0.2 per cent

Source: BIS's FTWS 2008 Q5.10a Q5.10b
 Base: All respondents (4010 unweighted)

The total of the reports of unfair treatment under the equality grounds in 2008 was 5.7 per cent but this excludes unfair treatment because of family/caring responsibilities and it is probable that a proportion of these responses could qualify as gender or even disability/illness grounds. The absolute numbers of employees who reported unfair treatment on one or more equality grounds and who reported discrimination on one or more equality grounds were very similar. Given there were nearly twice as many reports of unfair treatment (of any kind) as discrimination (of any kind) this comparison is quite striking. It seems that, perhaps because of the way UK legislation is framed, people are much more likely to think of the equality grounds when answering a question on discrimination than they are when answering a question on unfair treatment.

The rank order of reports of discrimination for the equality grounds is age, race, gender, disability, with religion and sexual orientation together as the least frequent grounds. It is worth pointing out that reports of discrimination for disability and religion are much lower than reports of unfair treatment for disability and religion. This comparison suggests that respondents are more reluctant to apply the label of discrimination in these cases than in relation to discrimination on other equality grounds.

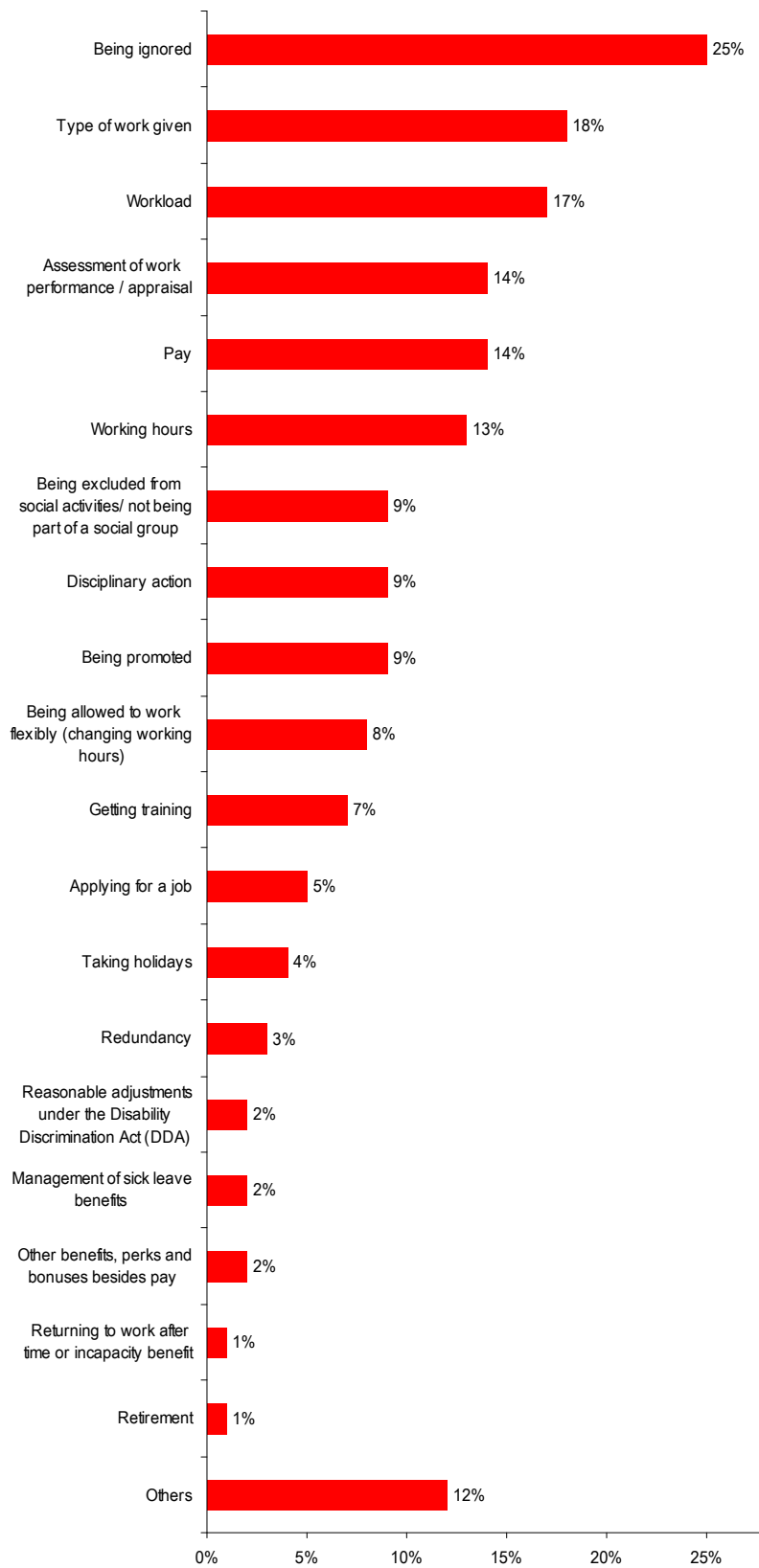
The notion that respondents might understand some experience they have had in the workplace as an instance of unfair treatment, but yet not consider it as discrimination, was one the 2005 question structure allowed for. In 2008, however, we were also able to show that nearly a quarter of those who reported discrimination did not report unfair treatment. Chart 6.8 suggests that, so far as the equality grounds are concerned, it may be in relation to age and race that respondents are most likely to perceive discrimination which is not thought to be unfair.

Charts 6.6 and 6.7 also indicated what proportion of respondents thought their unfair treatment and discrimination on an equality ground was a breach of their legal rights. If we take unfair treatment and discrimination together (and sometimes they were reported in combination), we find that race and ethnicity (83 per cent) was the ground for which the largest proportion of respondents thought unfair treatment and/or discrimination would be a breach of their rights. For unfair treatment and/or discrimination on the grounds of age, gender, pregnancy and parental leave, the percentage of people who thought their rights had been breached was close to 70 per cent. Lower proportions were recorded for religion (56 per cent), sexual orientation (44 per cent), disability (60 per cent) and long-term illness (58 per cent). This suggests that respondents who report these kinds of unfair treatment or discrimination are less aware that there is provision for them in the employment rights framework. This finding lends support to the suggestion made about the comparison between unfair treatment and discrimination in relation to religion and disability in Chart 6.8. It is certainly worth exploring further, especially since 70 per cent of respondents who reported unfair treatment or discrimination on the grounds of union membership thought this would be a breach of their rights. Why might respondents be surer of this than they are of the provisions of the equalities legislation?

In Chapter 3, we learnt that respondents attach more or less equal importance to knowing about legislation on unfair treatment because of race and disability (Table B3.8) yet here we may have some evidence that people with disabilities are relatively uninformed about equality legislation. Of course the equality grounds were not the main reasons people gave for unfair treatment or discrimination. With the exception of trade union membership, questions about unfair treatment being a breach of rights were only asked in respect of the equality grounds. We therefore do not know if people considered the more popular reasons for unfair treatment or discrimination to be a breach of their rights.

All respondents who reported a problem at work were asked which of them they considered the most serious. Those who chose unfair treatment were the largest single group (see Section 6.6). Where unfair treatment was the most serious problem, respondents were asked what it related to. Chart 6.9 summarises the results and they do appear to vary in some respects from those reported for the rather different unfair treatment question asked in the 2005 FTWS.

Chart 6.9 What the unfair treatment was related to*



Source: BIS's FTWS 2008

* Base=Those with unfair treatment involved in the most serious problem at work from Q6.6a (unweighted base=266).

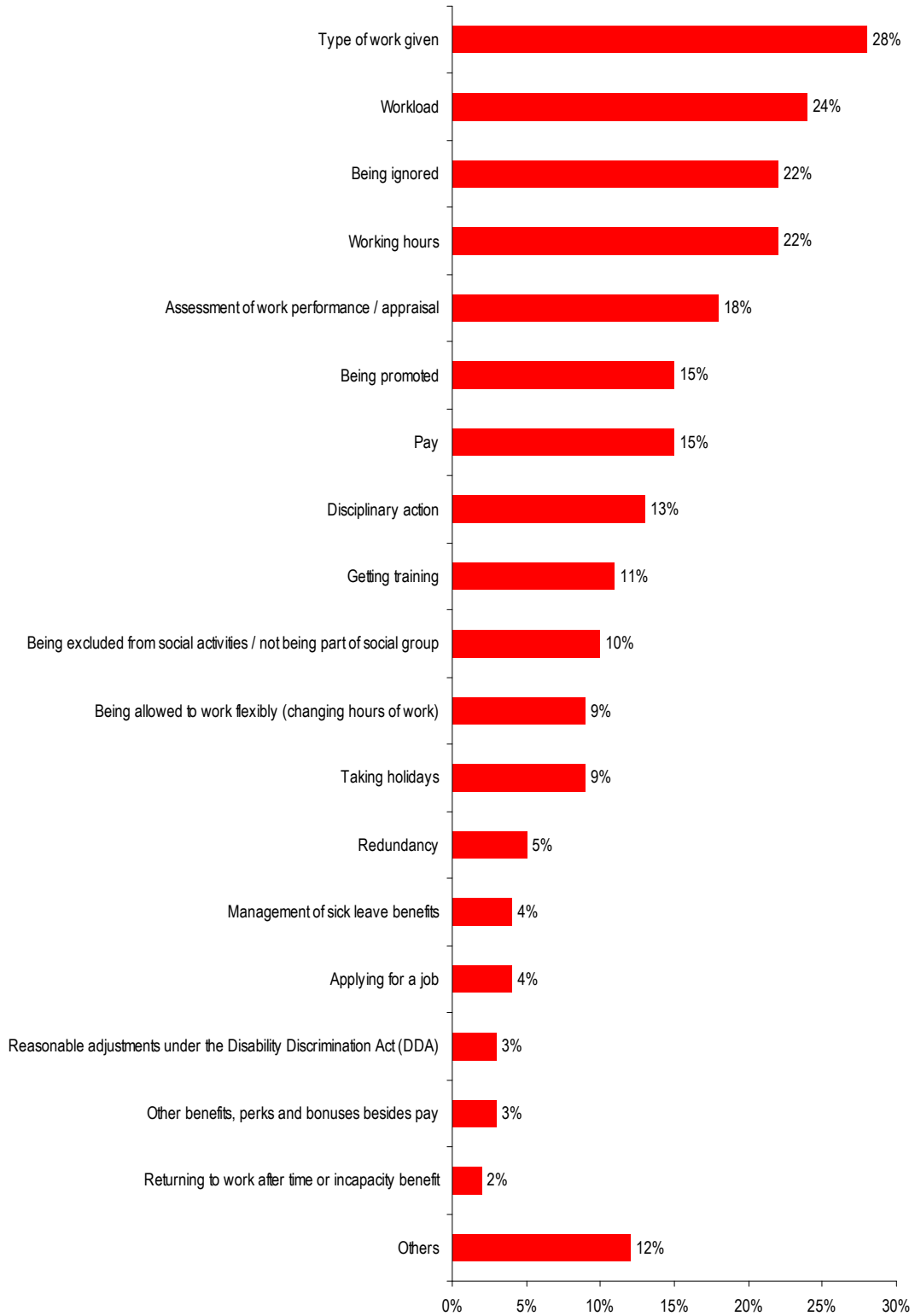
In 2005, the most common forms of unfair treatment were ‘the type of work given’ (21 per cent), ‘working hours’ (17 per cent), ‘being ignored’ (15 per cent) or ‘pay’ (13 per cent).’ In 2008 the most common forms were ‘being ignored’ (25 per cent), ‘type of work given’ (18 per cent), ‘workload’ (17 per cent), ‘assessment of work performance /appraisal’ (14 per cent), ‘pay’ (14 per cent) and ‘working hours’ (13 per cent). We are unable to say, of course, whether these variations are a result of the change in question format or have some other cause.

Chart 6.10 reports the same data for discrimination as the most important problem. Even though the connotation of employment rights might be stronger than is the case with unfair treatment, it is still the case that the issues we might have expected would be mentioned most often – as represented by the types of discrimination cases that come before industrial tribunals, for example – were comparatively rare. The most common forms were ‘type of work given’ (28 per cent), ‘workload’ (24 per cent), ‘working hours’ (22 per cent), ‘being ignored’ (22 per cent) and ‘assessment of work performance/ appraisal’ (18 per cent). Both ‘pay’ and ‘being promoted’ registered 15 per cent.

At least at face value, it is difficult to reconcile the fact that a small minority of the 7 per cent in the whole sample who reported discrimination – probably less than 1 per cent – had discrimination in promotion in mind with the findings of the Citizenship Survey (6 per cent of the population experienced discrimination in promotion over the previous 5 years)¹³. In any event, it is important to take on board the fact that, in the eyes of our respondents, most unfair treatment, and even most discrimination, is probably not related to the discriminatory behaviour which is covered by the equal opportunities legislation in force at the time of the 2008 FTWS. It also falls outside the individual employment rights framework.

¹³ We might expect that surveys which sample the unemployed, and not simply those who have been employed sometime in the last 2 years, will be more likely to produce higher prevalence rates, particularly of discrimination in recruitment. The UK Citizenship Survey uses a sample of this kind and it produces higher prevalence levels of discrimination in recruitment. The first quarter of the 2008-9 Survey (April 2008 - March 2009) asked how many people in England and Wales felt they had experienced discrimination in the last five years by being refused or turned down for a job. This was 7 per cent of people who are currently or had been in paid work as an employee or who had looked for work as an employee in the last five years in England and Wales (Department of Communities and Local Government, Table 12).

Chart 6.10 What the discrimination was related to*



Source: BIS's FTWS 2008

* Base=Those with discrimination involved in the most serious problem at work from Q6.6b (unweighted base=143).

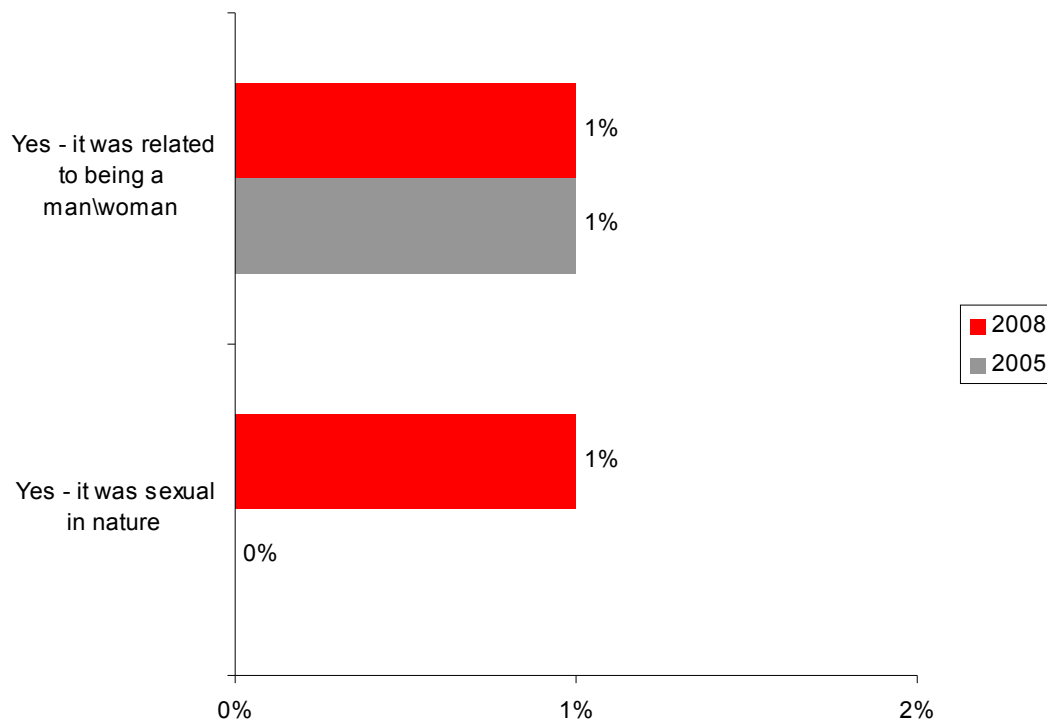
6.3 Bullying and Harassment at Work

Respondents were told that 'sex-based harassment at work is any unwelcome sex or gender related behaviour that creates a hostile working environment' and they were asked:

'In the last TWO years, have you experienced sex-based harassment at work? This could be sexual in nature or be related to the fact you are a man/woman'.

The same question was asked in the 2005 FTWS and, though the numbers reporting 'it was sexual in nature' were too small to chart (less than 0.5 per cent), Chart 6.11 suggests there is no difference in any of these findings over the two surveys. Reliable survey data on sex harassment, including the element of harassment which is sexual in nature, are hard to find but 3.6 per cent reported they had personally been subjected at work to unwanted sexual attention over the previous twelve months in the British sample for the 2005 European Working Conditions Survey (EWCS).

Chart 6.11 Experience of sex-based harassment at work, 2005 and 2008

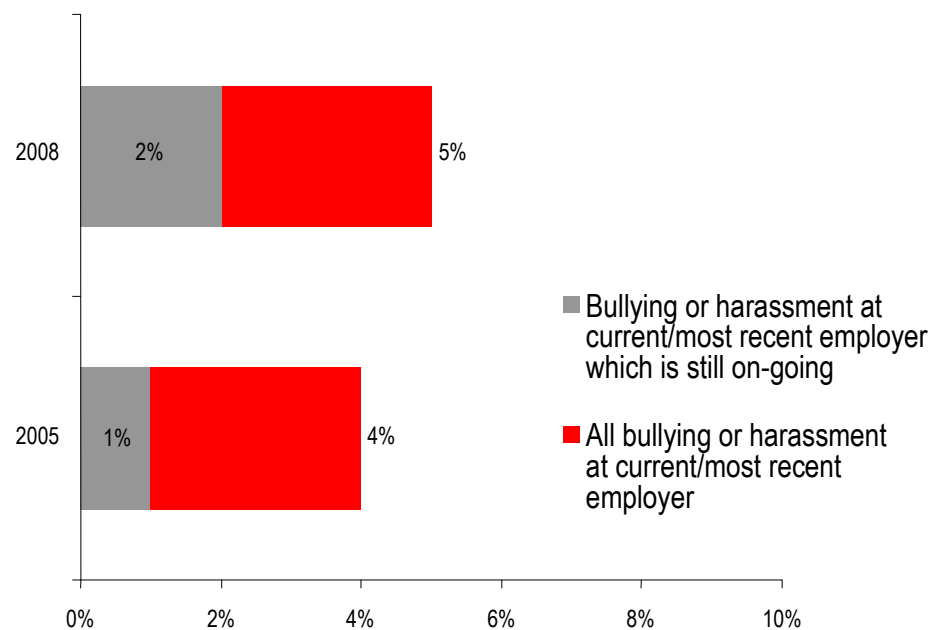


Source: BIS's FTWS 2008, FTWS 2005

Base: In 2008, all respondents asked Q5.6 (unweighted base = 4010); in 2005, all qualifying respondents asked Q30 (2366)

The question about sex harassment was followed by a question about 'other forms of bullying and harassment that create a hostile working environment'. Once again, this was the same question used in the earlier survey so the 2008 results can be compared with those for 2005. Although Chart 6.12 shows there was a slight increase in the response of those reporting bullying or harassment with current or most recent employer in the previous two years (bullying and harassment with former employer was not provided for in the question used in 2005) from 4 per cent in 2005 compared with 5 per cent in 2008, this was not statistically significant. The 2008 total was 7 per cent if bullying and harassment when working for a former employer is included.

Chart 6.12 Experience of bullying and harassment at current employer, 2005 and 2008



Source: BIS's FTWS 2008, FTWS 2005

Base: In 2008, all respondents asked Q5.7 (unweighted base = 4010); in 2005, all respondents asked Q36

The fact that the figure for bullying and harassment recorded in the 2008 FTWS is in single figures is worthy of comment in its own right. In recent years it has commonly been suggested that the absolute level of workplace bullying in Britain is very high. Such claims generally rely, however, on samples which do not represent the working population. For example, in common with many other organisations, the Andrea Adams Trust¹⁴ quotes a figure of one in four people being bullied at work within the last five years. The source for this figure is given as UMIST, presumably referring to the study by Hoel and Cooper (2000) which reported that 10.8 per cent of their sample said that they had been bullied in the last six months and 25.7 per cent had some experience of bullying in the previous five years (Hoel & Cooper, 2000, pp. 12–13). This was not a representative study, for example it over-sampled public-sector organisations. Furthermore, it relied on self-completion

14 Andrea Adams Trust, see <http://www.andreaadamstrust.org/>

questionnaires and those who consider they have experienced bullying may be much more likely to return such questionnaires.

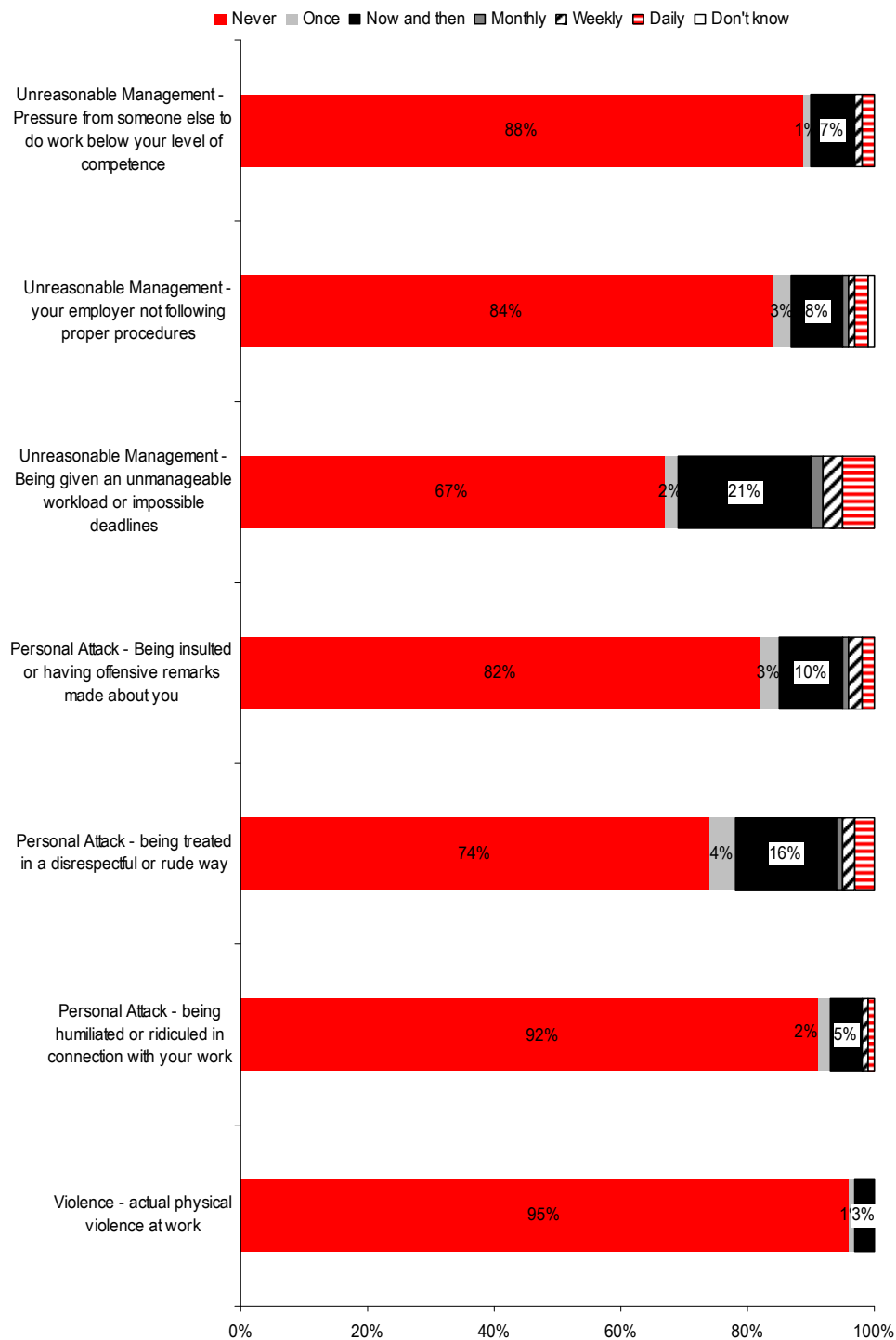
The figure of 7 per cent accords well with the results of other recent surveys using face-to-face interviewing and representative samples of current or recent employees. In their pilot for the British Workplace Behaviour survey, Fevre et al (2009) found that 4.6 per cent had been bullied in the last six months, 5.6 per cent in the last year and 7.0 per cent in the last two years. The results of the EWCS 2005 for Britain found that 5.4 per cent reported bullying and harassment over the previous twelve months. Such single-figure results in other countries also occur in the specialist European literature where studies with representative samples have been a little more frequent.

On the other hand, some contributors to this literature have recommended the use of longer questions about bullying in the workplace than the one used in here. Fevre et al (2009) conclude that, in practice, there may be little difference in the data gathered by the variety of bullying questions on offer but they do concede that there may well be negative workplace behaviour which would be of interest to researchers and policy-makers which is not captured by such questions.

Seven questions on negative behaviour were therefore included in the questionnaire to represent three different factors which occur in data on negative behaviour (for further background on the provenance of these questions see Fevre et al, 2009). The first of these factors can be summarised as unreasonable or punitive management or supervision and the first three items in Chart 6.13 are therefore labelled 'unreasonable management'. This form of ill treatment is focused on an employee's work rather than their person and it is mostly, but not exclusively, supervisors or managers who are responsible for it. The second factor can be summarised as personal denigration or disrespect and is labelled as 'personal attack' in the chart. Although this kind of attack can originate with managers and supervisors, or even clients and customers, co-workers are usually responsible. The third factor, violence at work, is most likely to originate with clients or customers.

These results are very similar to those produced in the full, 21-item battery reported by Fevre *et al* (2008) and this suggests that they are a good guide to the other questions within each of the three factors which were not asked here. The exception is the question on employers' procedures which produced a much lower figure: 16.8 per cent as against the 23.2 per cent reported by Fevre *et al* (2008). It may well be that some or all of this difference could be explained by the differing content of the questionnaires used in each survey. The British Workplace Behaviour Survey reported by Fevre *et al* had no questions on knowledge or awareness of employment rights or on any other problems than negative behaviour. The survey had many more alternative questions where respondents might record their dissatisfaction with their employers' procedures. For example, an earlier chart (Chart 6.1) records that 8 per cent agreed with 'your employer not following a set procedure when dealing with a grievance or other work related problem you had'. It is possible that perceived overlap may have reduced responses to the question on negative behaviour.

Chart 6.13 Experience of negative behaviour at work



Source: BIS's FTWS 2008
 Base: All respondents asked Q6.49 (unweighted base = 4010)

The results reported in Chart 6.14 confirm that, just as for the question on bullying at work, the use of a nationally representative sample with face-to-face interviewing produces much lower prevalence rates for these types of problems at work. For example, Hoel and Cooper (2000) reported that in their study the prevalence of 'pressure from someone else to do work below your level of competence' now and then within the last six months was 31.3 per cent. For 'being insulted or having offensive remarks made about you' now

and then in the previous six months the figure was 12.2 per cent. For ‘being humiliated or ridiculed in connection with your work’ now and then, Hoel and Cooper reported 25.4 per cent. The comparison figures from the 2008 FTWS, which of course refer to the previous two years, not six months, were 7 per cent, 10 per cent and 5 per cent respectively.

Chart 6.14 Experience of negative behaviour in the workplace

	Per cent
At least three items monthly or more frequently	4
Some negative behaviour experienced but fewer/less frequent	47
No negative behaviour experienced	49

Source: BIS's FTWS 2008 Q6.49

Base: All respondents (weighted base = 4,010; unweighted base = 4,010)

We have already noted that the prevalence rate for the question on bullying and harassment in the FTWS is very close to the rate recorded in another representative survey with face-to-face interviewing (but a smaller sample): the EWCS 2005. The EWCS also asks questions (though not in every wave) about violence at work, so it is worthwhile comparing the EWCS results to our figure for violence from anyone in the workplace over the previous two years. The FTWS figure was 4 per cent (3 per cent now and then, 1 per cent just once). EWCS questions are asked about the previous twelve months and 3.8 per cent said they had been ‘personally been subjected at work to physical violence from people from your workplace’. This looks to be a very similar result however the 4 per cent figure in the FTWS included violence from clients and customers and the EWCS question was intended to exclude this, although we may wonder whether the question phrasing was well-designed for this objective. The second question about violence in the EWCS was rather more ambiguous: 7.3 per cent said they had ‘personally been subjected at work to physical violence from other people’. Here the intention would have been to focus on clients and customers though we might be doubtful whether the question would reliably achieve this.

The specialist literature on workplace bullying sometimes uses questions on negative behaviour to derive measures of bullying which researchers argue are more ‘objective’ than those achieved with a question which requires respondents to self-identify as the victims of bullying (Notelaers *et al.* 2006). In order to do this, researchers suggest that respondents must experience more than one, perhaps several, types of negative treatment on a more than occasional basis to qualify as being subject to bullying. While there is little agreement on what counts as the threshold in the literature, it is often suggested that experience of negative behaviour must be at least monthly. Although our period for reporting negative behaviour is quite long (many studies use a year or six months instead of two years), using a threshold of monthly or more frequently reduces the prevalence of unreasonable or punitive management to 3-10 per cent, and of personal denigration or disrespect to 2-6 per cent. Although there were respondents who experienced violence at work this frequently, they numbered less than 0.5 per cent of the sample. If we add the more stringent qualification of experiencing three or

more items in the 7-item battery (Chart 6.14) the proportion drops to 4 per cent of the sample.

6.4 Other Problems

At the end of the sequence of questions about specified problems at work, unfair treatment, discrimination, sexual harassment, bullying and harassment, and negative behaviour, respondents were invited to respond to a question designed to gather data on 'any other serious problems at work in the last FIVE years'. They were asked about problems 'to do with your rights at work' (3 per cent), 'which have had a severe impact on your physical or psychological health/ well-being' (5 per cent) and 'which have had a severe impact on your financial situation' (4 per cent). The correlates of the second of these measures have more in common with the questions on bullying and harassment and negative behaviour. The correlates of the other two questions have more in common with those of the specific questions on employment rights. This was taken into account when we determined which would be the appropriate dependent variables for multivariate analysis – see Chapters 7 and 9.

6.5 The Most Serious Problem

All respondents who reported any of the problems previously discussed were asked 'to focus on the most serious problem at work'. They were told they could select more than one of the problems they had already reported 'if they were all part of the same problem at work'. The main purpose of this question was to allow the collection of more information in subsequent questions on the detail of a most serious problem and its resolution. We can, however, also use the data it produced to compare the distribution of problems with the distribution of those problems judged the most serious and this comparison is made in Chart 6.15 (changes in question format from the previous Employment Rights at Work Survey (ERWS) make comparison with results for 2005 impossible).

Chart 6.15 should be interpreted carefully. Respondents were allowed to select more than one response and it is quite logical that many more will have decided that a problem reported under another heading also qualified as unfair treatment or discrimination than would have decided that a problem with pay also qualified as a problem with unfair dismissal (for example). The chart does not tell us that, when faced with a choice between deciding whether unfair treatment was more serious than unfair dismissal or problems with pay (for example), respondents tend to choose unfair treatment.

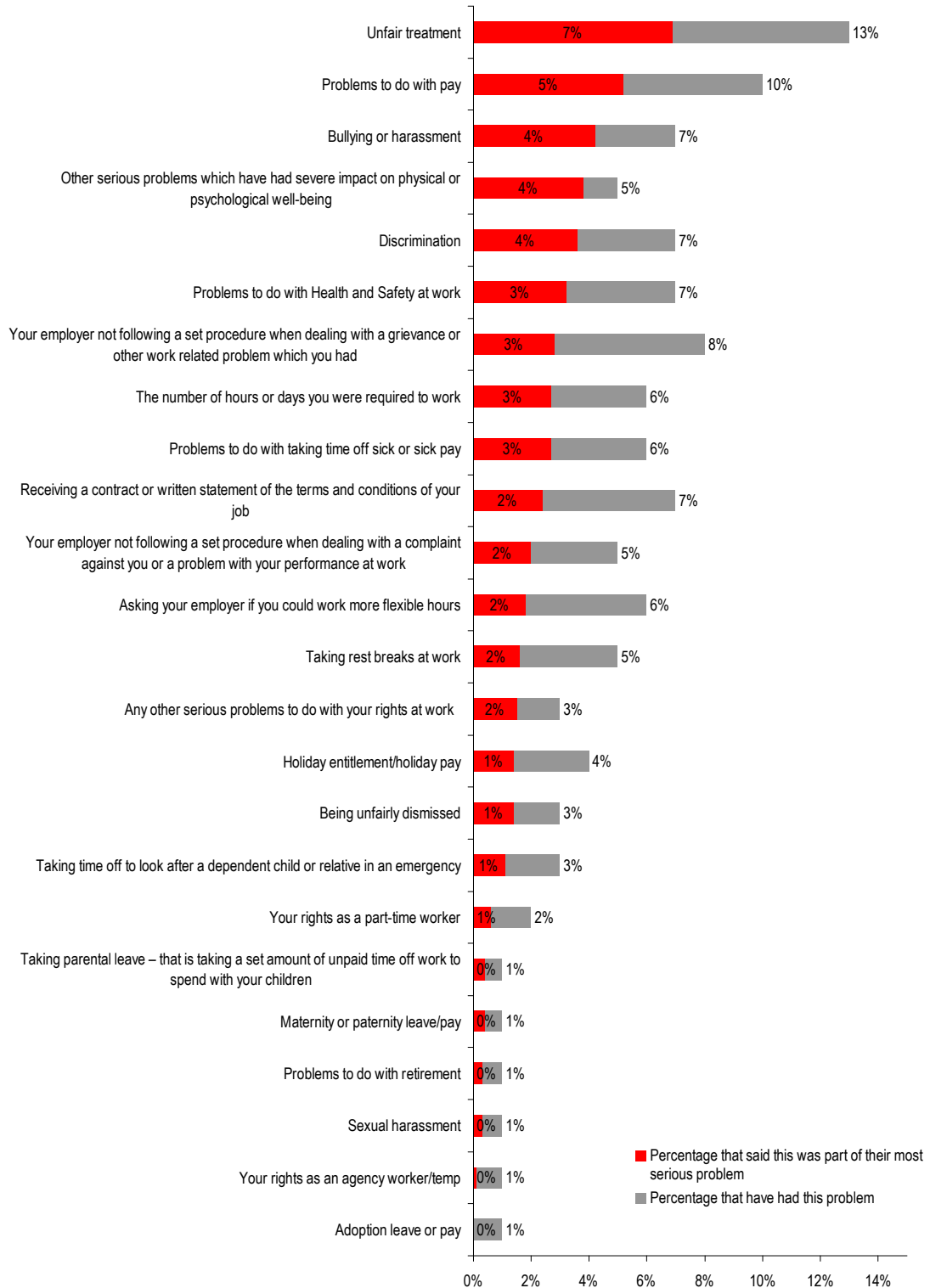
The chart does, however, tell us something equally interesting: with the exception of a problem with pay, respondents were less likely to identify a specific employment rights problem as part of their most serious problem than they were to identify unfair treatment, bullying and harassment, other serious problems impacting health/ well-being and discrimination. There may, of course, be overlap between some or all of these categories (the total of the responses in the chart is much more than 100 per cent) but the important

point to make here is that, pay problems apart, it was the problems which were less easily identified with specific employment rights that were the things that respondents were most likely to choose when they told us what their most serious problem looked like.¹⁵

For 82 per cent the most serious problem began in 2005 or subsequently; for 53 per cent it began in 2007 or subsequently. 27 per cent of the most serious problems occurred with a previous employer. For 43 per cent the most serious problem was a one-off, for 17 per cent it occurred at several different times and for 39 per cent it was continuing.

¹⁵ Note that the questionnaire was designed in such a way that 'any other serious problems which have had a severe impact on your financial situation' was not offered as a candidate for most serious problem (and therefore is also absent from follow-up questions about 'the most serious problem'). The rationale for this design was that responses to this item would be likely to relate to a pay or grievance issue. Only 10 respondents reported a problem in this category but not in any other.

Chart 6.15 Experience of problems at work, overall prevalence and most serious problem



Source: BIS's FTWS 2008

Base: All respondents asked Q5.1, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8a, Q5.8b & Q6.1 (unweighted base = 4010)

6.6 Summary

Trends in problems with employment rights

- The proportion of those who reported problems in the previous five years decreased markedly between 2005 and 2008 on a comparable basis from 41 per cent to 27 per cent, while the proportions reporting several problems also fell.
- In particular problems fell significantly with; pay (22 per cent in 2005 to 10 per cent in 2008), hours/days required to work (12 per cent to 6 per cent); rest breaks (13 per cent to 5 per cent) and annual leave (13 per cent to 5 per cent).
- Respondents were most likely to choose problems which were less easily identified with specific employment rights when they told us about their *most serious* problem.

Unfair treatment, discrimination and the equalities legislation

- Understandings of unfair treatment and discrimination rooted in individual psychology – ‘the attitude or personality of others’ and ‘people’s relationships at work’ – were more common than the conception of unfair treatment arising from group membership, for example one of the groups covered by the equality grounds.
- Race or ethnicity was the ground for which the largest proportion of respondents thought unfair treatment and/or discrimination would be a breach of their rights. Respondents were much less likely to think unfair treatment or discrimination on the grounds of religion, sexual orientation and disability or long-term illness was a breach of their rights.
- Those who thought unfair treatment was a part of their most serious problem at work were the most numerous. The most frequently mentioned types of unfair treatment within this group were ‘being ignored’, ‘type of work given’, ‘workload’, ‘assessment of work performance /appraisal’ ‘pay’ and ‘working hours’. Although there was some variation in rank order, the same five issues were mentioned where discrimination was reported as a part of the most serious problem.
- Most reported unfair treatment, and even most discrimination, was probably not related to the discriminatory behaviour which was covered by the equal opportunities legislation in force at the time of the 2008 FTWS. It also fell outside the individual employment rights framework.

Trends in reports of sexual harassment, bullying and harassment and negative behaviour in the workplace

- There seemed to be have been no decline in the numbers reporting sexual harassment (around 1 per cent of the sample) since 2005 and little change in the numbers reporting bullying and harassment (the one percentage point rise was not statistically significant).
- In 2008, 7 per cent of the sample report bullying or harassment over the previous two years (including bullying and harassment experienced with a former employer) and this figure was similar to those recorded in

other recent surveys using face-to-face interviewing and representative samples of current or recent employees.

- Reports of various types of negative behaviour were more common but most people had experienced such behaviour infrequently. Depending on the type of behaviour in question, between 3 and 10 per cent reported unreasonable or punitive management monthly or more frequently over the previous two years. Between 2 and 6 per cent of the sample reported denigration or disrespect monthly or more frequently in the previous two years.

7 Problems with specific employment rights

We know from the previous chapter that there has recently been a reduction in the incidence of specified problems with employment rights (as opposed to the more generic issues such as bullying). The proportions of the working population reporting any problem, one problem and two or more problems fell between 2005 and 2008. We also know that the incidence of almost every individual type of problem (with contracts, rest breaks, unfair dismissal and so on) declined, and this included the most frequent type of problem – and one that was very likely to be regarded as the most serious problem experienced in the workplace – a problem with pay.

The question now arises of which individuals, jobs and workplaces are over-represented amongst the 29 per cent who still report a problem with employment rights. It would also be useful to know which individuals, jobs and workplaces are over-represented amongst certain types of problems, for example problems with pay. Finally, it would be useful to explore more information on the impacts of problems with employment rights so that we are, for example, better able to appreciate how serious they are. This Chapter will follow the template laid out in Chapters Three and Four by beginning with

- a discussion of bivariate analyses to determine which workplaces, jobs and individuals were more likely to report any type of problem with their employment rights (Section 7.1),
- we draw upon the conclusions reached in Chapters 3 and 4 in order to refine the approach we take in the multivariate analysis (Section 7.2),
- we then report multivariate analysis and summarise some of the most interesting data on the individuals, jobs and workplaces which were over-represented amongst certain types of problems, for example problems with pay (Section 7.3),
- we present findings on the impacts of the problems discussed in this chapter (Section 7.4)
- and finally we consider possible explanations for our results (Section 7.5)

7.1 Descriptive analysis of a problem with employment rights

We begin by commenting on the bivariate analysis summarised in Table B7.1 which shows the national, workplace, job and individual characteristics more likely to be associated with problems to do with employment rights. The dependent variable here is any experience of a problem listed in Chart 6.1, either in the workplace where the respondent is currently employed, or any other workplace where they have been employed in the previous five years. It does not include experience of unfair treatment, or discrimination, or sex harassment or bullying and harassment which are described in Chapters 8 and 9. The dependent variable does, however include other serious problems with rights, and other problems with rights that had a serious financial impact, which were not captured by the questions which produced the data in Chart 6.1. Table B7.2 summarises the bivariate analyses for these other categories

of problem. Numbers in the table are generally too small to produce significant results but the few that are significant are included in the discussion below.

One obvious difficulty with using this measure for bivariate analyses is that some of the data it includes refer to a previous job for which the job and workplace characteristics which appear in bivariate analyses may not be relevant. Although people do tend to find a similar kind of job in a similar kind of workplace when they change jobs, there is a risk that the values of the independent variables which enter the analysis are misleading. There is even a small risk that something about respondents' individual characteristics might have changed: disability/illness, more than one job or trade union member perhaps. These caveats should be born in mind when reading Tables B7.1, B7.2 and the commentary below:

National and workplace characteristics, none of the region or workplace characteristics appeared to be significant for a problem with employment rights with the exception of being in a workplace without an equal opportunities policy. This was associated with a higher percentage reporting specific problems with rights and a problem with problems with rights that had a serious financial impact.

Job characteristics, managerial and professional employees, and respondents with any with managerial or supervisory duties, were less likely to report specific employment rights problems than routine and manual employees and those without managerial duties. Non-permanent employees, former employees and those with more than one job were also more likely to report problems. Former employees were more likely to report a problem with problems with rights that had a serious financial impact. Shorter length of service and lower earnings were associated with a higher proportion of respondents reporting problems.

Individual characteristics, younger workers, women, whites, UK-born, the disabled (including those with a long-term condition), and gay and lesbian employees were more likely to report specific problems. The disabled were more likely to report a problem with problems with rights that had a serious financial impact. There were no obvious patterns related to the mean number of problems reported. Finally, those who felt they needed to know more about their employment rights were more likely to report problems than those who did not.

7.2 Knowledge of rights and problems with rights

In Chapters 3 and 4, we learnt about the workplace, job and individual characteristics of those who were less likely to say they felt well informed, or that they knew enough about their employment rights or that they would know where to go in order to find further information about their rights at work. We have already seen in the discussion of bivariate analyses above that some of these same workplace, job and individual characteristics might be significant in respect of problems with rights at work. It is, however, much too early to say this with any certainty: we require further multivariate analysis in order to do this. In this chapter we will begin to explore what the FTWS can tell us about

the workplace, job and individual characteristics of those who experience a range of problems at work.

Since the analysis reported in Chapter 3 is multivariate, we know that employees with more than one job, for example, reported an information deficit independently of any problems at work they may experience. We do not yet know whether this characteristic, or any of the other workplace, job or individual characteristics, are associated with experiencing more problems at work. For example, those with more than one job, or in non-permanent jobs, may not actually be more likely to report problems at work than employees with one job, or those in permanent jobs.

The significance of such data for the employment rights framework is profound. In Chapter 3, we had already noted differences in confidence about rights information between different groups might also be either the cause or effect of differences in their experience of problems at work. Groups which report fewer problems, for example, may not have had their confidence tested and are unrealistic about their level of knowledge. Or, groups which report fewer problems may have acted on their knowledge in the way the employment rights framework requires and nipped rights problems in the bud.

Chapters 3 and 4 suggested that those who reported problems at work were not that different to the rest of the sample in terms of what they actually knew about their rights. This does not, however, help us to determine whether differences in confidence about rights information are the cause or effect of differences in their experience of problems at work. It might be, for example, that there is something else about the groups which report problems that makes them unable to use their knowledge in the way the employment rights framework requires. For example, they may have employers who do not behave in the way the employment rights framework expects them to, or they may lack the additional resources employees require in order to capitalise on their knowledge of rights in principle by getting hold of the specific information they need and acting upon it.

In order to learn more about these relationships, the multivariate analysis reported in this chapter will include an independent variable which combines *sufficiency of knowledge* from section 3.1.2, whether they know enough compared with could do with knowing more, and their *knowledge score* from section 3.2 showing whether they got 25 or more correct answers on an employers legal obligations compared with less than 25¹⁶. If this sounds unnecessarily complicated, our justification is that, from what we have learnt of the 2008 FTWS results so far, we know that identifying the correlates of employee vulnerability to problems at work is not a straightforward matter. It is certainly not a matter of finding marginalised groups – perhaps demographic groups or people in particular jobs or workplaces – who have been left outside the employment rights framework because they lack the information needed to successfully negotiate step one of that framework should a problem arise. Vulnerability does not equate to ignorance.

16 In the analysis of the 2005 ERWS, the researchers used a simple variable which told them whether a respondent was 'aware' or 'not aware'. The problem with such a variable has just been described: those who feel well-enough informed are not necessarily better informed in fact. We therefore thought we needed a slightly more sophisticated variable which would give us access to both of these dimensions at once.

7.3 Modelling problems with employment rights

We have already explained that the dependent variable for multivariate analysis is derived from a basket of variables. It consists of any experience over the previous five years of any of the employment problems listed in chart 6.1 plus any other problems ‘to do with your rights at work’ and problems ‘which have had a severe impact on your financial situation’ which were picked up in the subsequent question. We restricted this to experience of problems with your current or, if not currently employed, your most recent employer. This cut down the number of observations we had to analyse but we did find that, without this precaution, we ran the risk of uncoupling the problems from the workplace and job variables which turned out to be important. For example, a young person who was currently employed might report problems with a former employer which were, therefore, not associated with their current job or workplace characteristics. In these circumstances, the only coefficient which might emerge from analysis would be their age and data about the correlates of particular jobs or workplaces would not be generated. The main effect of tightening the link between workplace and job variables and the employment problem(s) we are trying to model is to promote job and workplace characteristics over individual ones.

For our multivariate analysis in Table B7.3 on any problems with employment rights at work in the past five years, we first undertook a regression on three categories of variable (about the individual, about their job and about their workplace) finding which items were significant in these circumscribed models before putting the significant variables into a final model. See section 2.4 for a more in depth interpretation of the outputs in Table B7.3 and Table B7.4; and a description of the regression method used.

National and workplace characteristics, in Chapter 3 we learnt a lot about the significance for employees’ confidence in their knowledge of rights of the corporate resources indicated by the presence of an HR department, and so on. Two of these variables were significant in model 1: those in workplaces with an equal opportunities policy were less likely to report employment rights problems but employees in workplace with trade union recognition were *more* likely to report problems. This is something of a surprise as we might have expected both of these aspects of corporate resources to reduce the experience of problems. Standard Industry Classification (SIC) was also significant in model 1 with Transport and Communication employees reporting more problems with employment rights than those in Construction.

Job characteristics, in Chapter 3 we found that, independently of their experience of problems at work, routine and manual workers and those in non-permanent jobs were more likely to report an information deficit in their knowledge of employment rights. Were these jobs in which problems were more likely to occur, were they perhaps jobs which are in some way innately problematic in respect of employment rights, perhaps harder to regulate? Model 2 for experience of employment problems with your current or most recent employer in the previous five years suggests not. Instead, model 2 gives us these significant variables: being a member of a trade union or staff association, those on lower earnings and with more than one job.

Individual characteristics, earlier in this chapter, we recalled that employees who were disabled or had a long-term illness reported the largest deficits in information about employment rights. Model 3 for experience of employment problems with your current or most recent employer in the previous five years tells us having a disability or a long-term condition increased the likelihood of reporting problems. It also suggests being a woman made reporting problems more likely.

Finally, model 3 showed that the awareness and knowledge variable we had created had a substantial effect. Respondents who were not well informed and felt they needed to know more were more likely to report problems than those who were well informed and felt they did not need to know more. More interestingly, those who were *well* informed and felt they needed to know more were more likely to report problems than those who were well informed and felt they did not need to know more.

Final model. The significant variables from the earlier models which do not appear in model 4 are the workplace characteristics (trade union recognition, equal opportunities policy and SIC); employees holding more than one job and sex of respondent. The ones that remain are:

- **Members of trade unions or staff associations**, who were 66 per cent more likely to report employment problems;
- **Earnings**, lower earners were up to 69 per cent more likely to have employment problems;
- **Disability**, the disabled and those with a long standing condition were 96 per cent more likely to have employment problems
- **Knowledge score / Sufficiency of knowledge**, those who needed to know more were between 151 per cent and 250 per cent more likely than those who did not need to know more to report problems with their employment rights.

We explore some possible explanations for these results below, but first it is possible to make some limited comparison with the results of multivariate analysis on the previous 2005 Employment Rights at Work Survey (ERWS).

There are differences in both the dependent and independent variables used to model experience of employment problems in 2008 FTWS and the previous ERWS so great care needs to be taken in interpreting any comparison. In 2005, six variables had co-efficients which were significant in multivariate analysis. The odds of a respondent having experienced a problem were increased by having a disability, long-term illness or health problem; being in the marital status category 'separated/divorced' (compared to being 'single'); being in the occupation categories 'sales and customer services' and 'professionals' (compared to being in the occupation category 'elementary occupations'); being a trade union/staff association member (compared to not being one). The odds of experiencing a problem were decreased by being 'aware' of their general employment rights (compared to 'not being aware'); being older by one year.

The overlap between the results of the present and previous surveys is therefore limited to disability, trade union membership and a variable which includes a measure of how well informed people feel they are. The analysis

reported in 2005 was not, however, limited to problems with current or previous employer. It also included problems specifically related to a former employer. When problems with a former employer were included in a model for the 2008 dataset (analysis not shown here), another of the co-efficients from the previous survey appeared: age. It was not only age that appeared as significant for the 2008 FTWS in a final model for any experience of problems in current *or* former employer, however. The same was true of non whites and gays, lesbians and bisexuals. In other words, tightening the link between workplace and job variables and the employment problem(s) we are trying to model had the effect of demoting a number of individual characteristics which are no longer significant.

7.4 Possible explanations for the model

We now turn to some possible explanations for these results.

Trade union membership

The writers of the 2005 ERWS report found it hard to explain the result for trade union membership which, they thought, ought to make problems less, not more, likely. Because of the controls entailed in multivariate analysis, many of the potential explanations for this pattern which rely on differences in awareness of knowledge or rights between trade union members and others are unlikely to apply. Being a member of a trade union or staff association was associated with a range of problems: adoption leave or pay, number of hours or days worked, pay, employer not following a set procedure to deal with a complaint, employer not following a set procedure to deal with a grievance (8 per cent for trade union members versus 4 per cent for non-members), health and safety (again, 8 per cent for trade union members versus 4 per cent for non-members) and retirement. Is it plausible that trade union members are, independently of their level of rights knowledge or awareness, more likely to identify such issues as problems?

There is evidence from the Workplace Employment Relations Survey (WERS) that both trade union recognition and trade union membership are associated with lower levels of trust in the employer (Nichols *et al* 2009: 254, 255 Table 3). It might be that trade union members were more likely to identify problems with these issues because they were less in the habit of trusting their employer to do the right and reasonable thing and more likely to use other criteria to determine what counted as a problem. This is, however, not the only plausible explanation for the model.

It could be that the presence of trade union members in a workplace might somehow increase the prevalence of problems or, more plausibly, union membership might also be a dependent variable. We know from Section 4.3 that one in five of those who would consult a trade union representative about problems at work were not trade union members. We also know that one in four of those who would go first to a trade union outside the workplace were not trade union members. We therefore think it is plausible to suggest that people with problems join trade unions as a result of their experience, perhaps after having approached trade unions (as non-members) to ask for help and

advice. This would help to explain why trade union members reported more problems with their rights.

Earnings

Problems which affected earnings were so heavily represented in the dependent variable which we constructed to measure exposure to problems with employment rights that we might sensibly expect earnings to be a significant variable in the model. Low pay may also be understood as, in some part, an effect of problems with employment rights.

Further bivariate analysis (not tabulated here) shows that lower pay was associated with the following types of problem: holidays, rest breaks, number hours/days, pay, agency rights, part-time rights, unfair dismissal, health and safety, sick leave/pay. It is clear from this that low pay is not simply a dependent variable, for example it is as, if not more, likely that taking a low-paid job will increase an employee's chances of encountering health and safety problems as it is that health and safety problems reduce earnings. Nevertheless, problems which affected earnings loomed large for the low-paid.

Chart 7.1 below summarises what lay behind all of the reports of a problem with pay (but not the other issues that might affect earnings). The most frequently mentioned were not being paid for all hours worked; not receiving all or part of pay due; being paid less than the pay rate agreed with employer. The chart also shows that a large proportion of reports in each category (about 50 per cent in some cases) were accounted for by those earning under £15,000 a year. In addition, bivariate analysis shows those earning under £6.50 per hour were more likely to report problems with being paid less than the pay rate agreed with their employer (33 per cent); not being paid on time (25 per cent); not receiving holiday pay (19 per cent) and being paid less than the National Minimum Wage (13 per cent).

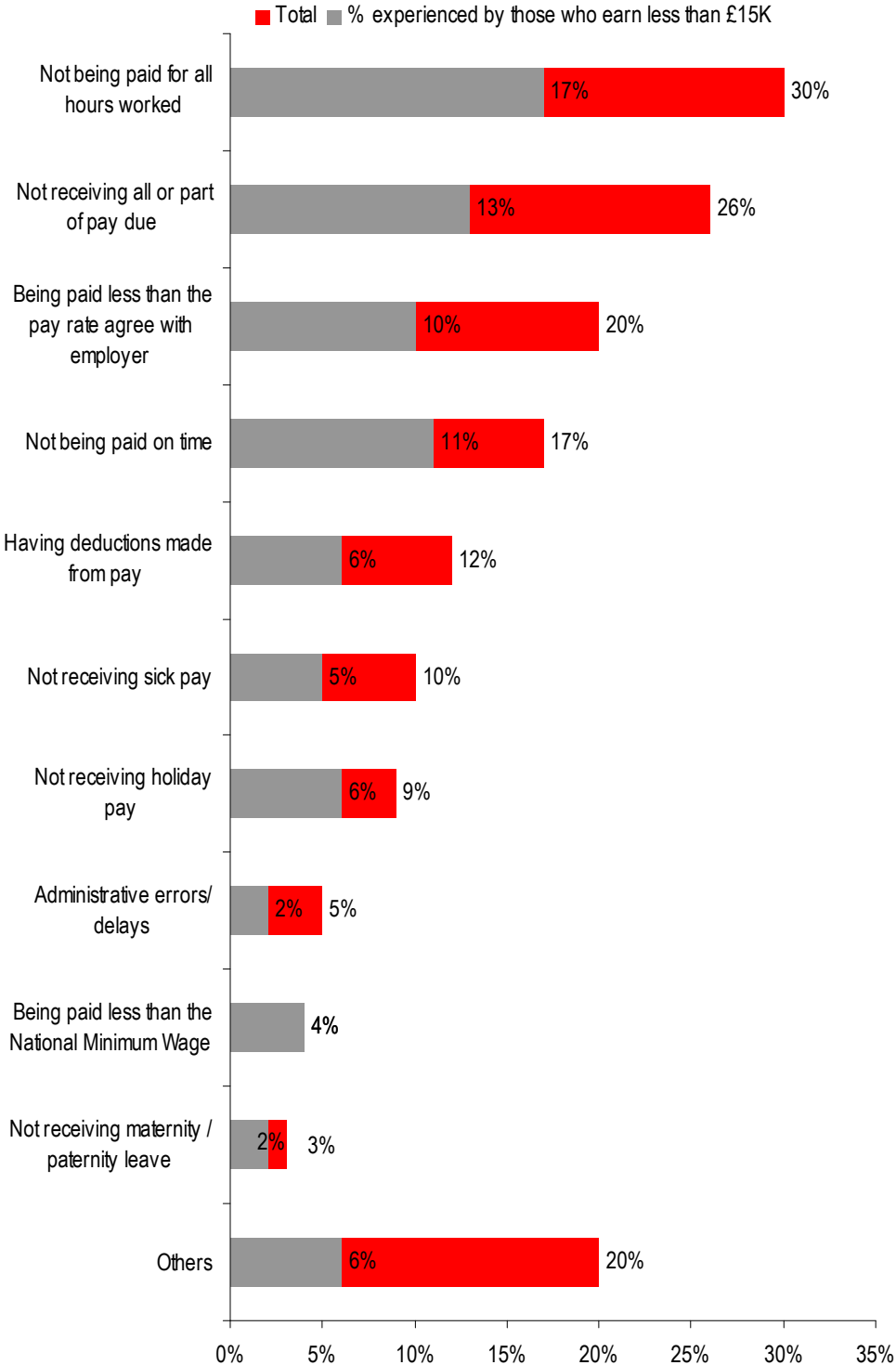
Disabled and long-term sick

As with earnings, some part of this finding may be a consequence of the way the variable which measured exposure to problems with employment rights was constructed. In addition, it is possible that employees might be disabled, or suffer a long-term health problem, as a result of the problems they experienced with their employment rights. Further bivariate analysis (not tabulated here) does not lend much support to this suggestion however. This further analysis suggests that being disabled or having a long-term condition was associated with problems with holidays, rest breaks, number of hours or days, pay, contract, set procedure for a complaint, set procedure for a grievance (11 per cent versus 4 per cent for those without a disability or long-term condition), health and safety (again, 11 per cent versus 4 per cent), sick leave or pay, retirement.

In other words, some of the problems were what we might anticipate within a group of employees who were already disabled or suffering from a chronic illness. It would not be hard to construct an explanation to suggest why those who were already disabled and long-term sick would be more likely to experience the other problems for which bivariate analysis was significant

including rest breaks, holiday entitlement/pay, problems with pay, contract, and grievance procedure.

Chart 7.1 Experience of problems to do with pay



Source: BIS's FTWS 2008
 Base: All respondents that have had a problem to do with pay in the last 5 years Q5.3c (unweighted base = 379)

The report on the 2005 ERWS suggested that the greater incidence of problems amongst those with a disability or long-term health problem might be explained by discrimination in the workplace. The disabled and long-term sick were the only group that was both more likely to report problems with employment rights, and more likely to tell us they needed to know more about their rights whether they reported problems or not.¹⁷ This might mean that the disabled and those with long-term conditions were less likely to trust their employers to look after their rights than other categories of employees. This might reflect their perception of discrimination but there are other possible explanations.

Knowledge score and sufficiency of knowledge.

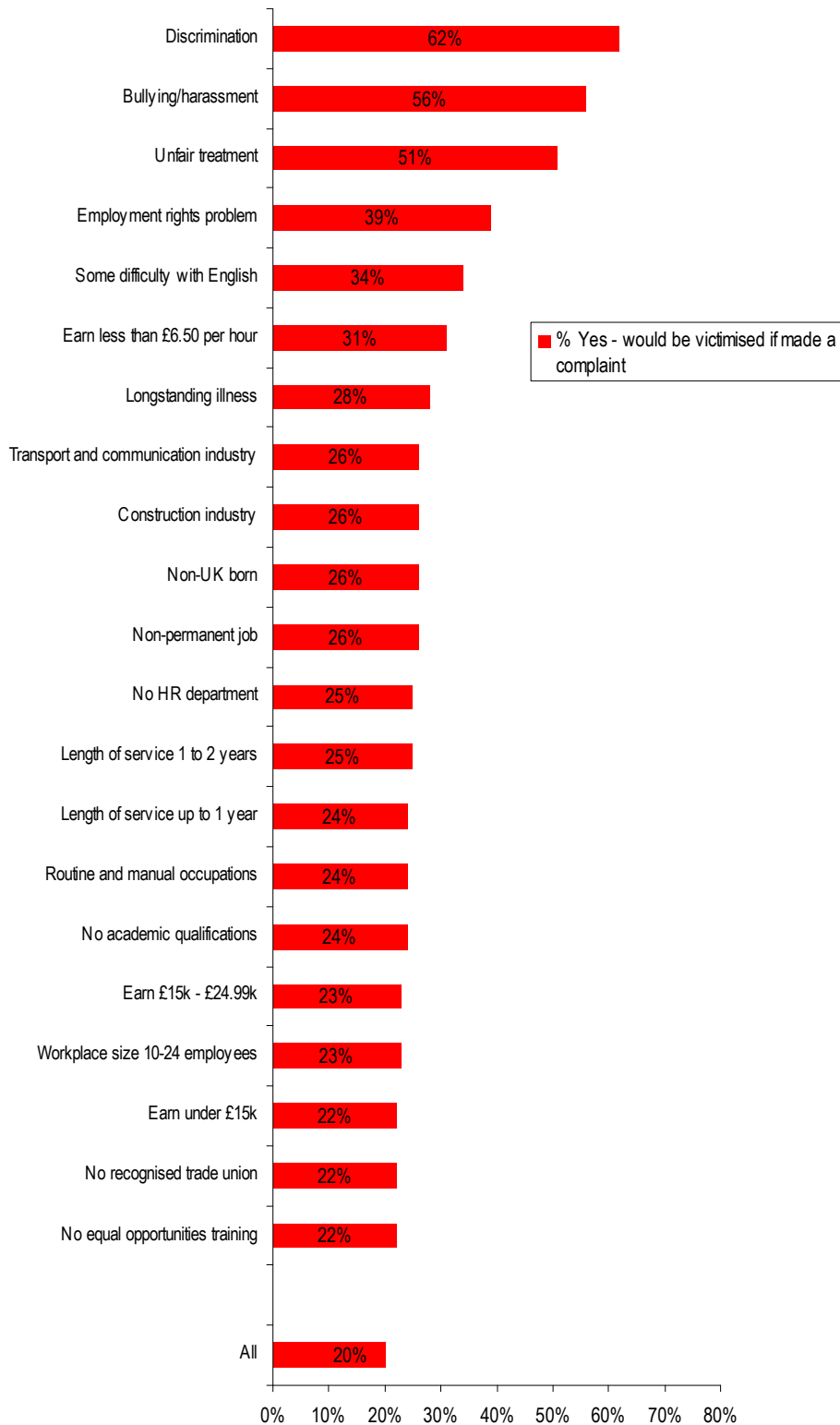
The 2005 ERWS suggested that the significance of awareness for employment problems might indicate that those who were more aware recognised and addressed issues at an early stage before they became problems. A plausible interpretation of the results of the 2008 FTWS would be that the experience of problems led people to think they needed to know more, no matter whether their existing knowledge was good or bad. Perhaps this might be evidence of a rational choice: employees did not go to the bother of finding out about rights if they did not have a problem? On the other hand, it might be evidence of the way employment problems undermined the trust people placed in their employer. When that trust was broken by the experience of problems, employees reappraised their knowledge of employment rights.

This explanation is supported by the way answers to questions about not needing to know about rights because your employer acted reasonably, and about how seriously your employer took employment rights, were associated with employment problems in single regression models (analysis not tabulated here). One further finding from bivariate analysis also provides support for the idea that the experience of problems undermined the trust in employers which led employees to be relatively content with, if not complacent about, their knowledge. The fear of victimisation is clearly relevant to the effectiveness of the framework that is in place to protect individual employment rights. Chart 7.2 shows that one in five respondents to the sample feared victimisation or unfair treatment were they to raise a formal complaint at work. The chart also shows that those who actually encountered problems in the workplace were much less confident that they would not face victimisation than those who had not encountered problems.¹⁸

17 It is hard to find evidence of any other links between what people from particular groups told us about their awareness and their experience of problems. For example, having a permanent job or having equal opportunities training can make you feel well informed and satisfied you know enough about your rights, but these conditions make no difference to how many problems you report. Not having trade union recognition in your workplace or managerial responsibilities can make you feel you are not well informed but they do not make you any more likely to report problems.

18 In fact, those who encountered problems to do with specific employment rights were rather less fearful of victimisation than those who experienced bullying or harassment and unfair treatment or discrimination.

Chart 7.2 Fear of victimisation by different characteristics



Source: BIS's FTWS 2008
 Base: Respondents who answered Q5.0 (2667 unweighted, 2690 weighted)

A variation on this explanation might resemble the one offered for the significance of trade union membership above. It might be that, rather than learning from experience, workers who trust their employers to look after their interests are less likely to recognise employment problems. An employee who does not trust their employer to act reasonably, and does not think they treat employment rights seriously, might well be on the look out for issues that might be labelled as problems whatever their actual level of knowledge might be. Or, to put it another way, they would be prepared to conceive as problems things that others might simply accept because they think their employer acts reasonably and/or takes employment rights seriously. Similarly, an employee who suspected their employer might victimise them if they raised a formal complaint might be more alert to the existence of employment problems. Indeed, this fear of victimisation might itself be considered a workplace problem in its own right.

On the other hand, the potential for victimisation might make other employees feel that there is little point in identifying workplace problems or, indeed, learning about their employment rights. An employee may not be aware that she or he has an employment right yet feel it is not necessary to know about this because, if there was such a right, and she or he sought to pursue it, the consequence would be victimisation by the employer. With this in mind, it is noteworthy that Chart 7.2 suggests several of the characteristics that might be thought to be indicators of vulnerability were also associated with the fear of victimisation. If those who had difficulty with English, or earned less than £6.50 an hour, feared victimisation if they were to raise a complaint, then perhaps they might not feel it was necessary to know about their rights?

A concentration of respondents who said they were not well informed, but did not need to know more, might merit further investigation as an indicator of vulnerability. Whatever might lay behind this pattern – complacency, evidence of a employees trusting employers to look after their rights or fear of victimisation – respondents who say they are not well informed, but do not need to know more, may present a problem for the employment rights framework as these employees may not even be aware that they have rights. In other words they cannot recognise if they have a problem which might be addressed by reference to their rights. In this case, step one of the employment rights framework (Chapter 2) cannot be completed.

7.5 Impacts of problems with rights

The impacts of problems with rights at work are summarised in Table B7.5. It should be born in mind that these results only refer to cases where the respondent chose one or more of the problems discussed so far in this chapter as part of the most serious problem they had experienced. The commentary below does not, therefore, capture all of the impacts of problems with employment rights but it probably does capture the effects which the respondents themselves would consider to be the most serious.

The table shows that those who reported the other categories of problem reported much bigger impacts than did the respondents who told us they had a problem with their employment rights. The category which those with employment rights problems most closely resembled in this regard was those

respondents who reported unfair treatment, though even here those with employment rights problems reported lower levels of impact.

The first column of Table B7.5 shows that, within the group who had changed their job since the problem occurred, those with problems with employment rights were less likely to say they had left because of the problem than those who reported other kinds of problems. If they did leave, respondents who had problems with employment rights were most likely to have left of their own volition.

Employment rights problems had a smaller impact on health/ well-being than the other types of problems recorded in the table. Nevertheless, 22 per cent reported moderate/severe impacts on physical health/ well-being and 24 per cent reported moderate/severe impacts on mental health/ well-being (and 25 per cent reported moderate/severe financial difficulties as a result of the problem). It was the same story in terms of the impact on partners and family members. Although those with employment rights problems reported less impact, 17 per cent said the problem had had a moderate/severe impact on their partner and/or family members.

7.6 Summary

Who was more likely to suffer from a problem to do with employment rights?

- Members of trade unions or staff associations were 66 per cent more likely to report employment problems.
- Lower earners were up to 69 per cent more likely to have employment problems.
- The disabled and those with a long standing condition were 96 per cent more likely to have employment problems.
- Those who needed to know more were between 151% and 250% more likely than those who did not need to know more to report problems with their employment rights.
- Disability, trade union member and a variable which included a measure of how well informed people felt were also significant in the 2005 ERWS.

Possible explanations for these results

- Trade union members may be less in the habit of trusting their employer to act reasonably and more likely to use other criteria to determine what counts as a problem with employment rights.
- People with problems join trade unions as a result of their experience.
- Problems which affected earnings were heavily represented in the dependent variable which we constructed to measure exposure to problems with employment rights.
- Problems with employment rights were also one likely cause of lower earnings
- Our data support the suggestion that those who were disabled or long-term sick were experiencing more problems at work rather than the suggestion that these problems caused disability and sickness.

- As with earnings, problems which were more likely to affect the disabled and long-term sick were well represented in the variable used to measure exposure to problems.
- Perhaps as a result of their perception of discrimination by employers, the disabled and long-term sick may also be more likely to identify problems.
- Experiencing problems led people to think they needed to know more, no matter whether their existing knowledge was good or bad. This might be evidence of a rational choice or of the way employment problems undermined the trust people placed in their employer.
- instead of being the result of rational choice, a concentration of respondents who said they were not well informed, but did not need to know more, might merit further investigation as an indicator of vulnerability.

8 Unfair treatment and discrimination

We know from section 6.6 that, taken together, unfair treatment and discrimination were reported more often by respondents than any other single problem with employment rights. We also suspect that reports of unfair treatment or discrimination may not have declined in the same way as reports of problems with other employment rights.

Since the sample did not include the longer-term unemployed – those currently not in work were only included if they had been employed within the previous two years – we would expect unfair treatment or discrimination in recruitment to figure less prominently than it would in the Citizenship Survey, (see also footnote 12 in Chapter 6). Nevertheless, we know from section 6.2 that the majority of reports of unfair treatment did not refer to issues such as discrimination in recruitment or promotion which are commonly assumed to be their defining features. Indeed, we know that much reported unfair treatment and discrimination fell outside the framework of individual employment rights. Does this mean that these problems are more peripheral to the working lives of our respondents, or less important to them?

Other data reported in Chapter 6 suggested otherwise. We know that reported unfair treatment or discrimination were chosen as the most serious problem, or as a part of the serious problem, more often than we might have expected from their prevalence rates. Moreover, Table B7.5 shows that the impacts recorded for unfair treatment and discrimination tend to be more extreme than for specific employment problems:

- Amongst those who had subsequently changed jobs, 72 per cent of those reporting unfair treatment and 64 per cent of those reporting discrimination, said they left their employer as a result of the problem; In both cases, most of those who left resigned/left of their own accord
- 27 per cent of those reporting unfair treatment, and a third of those reporting discrimination, said the problem had a moderate or severe impact on their finances;
- 31 per cent of those reporting unfair treatment, and 43 per cent of those reporting discrimination, said it had a moderate or severe impact on their physical health/ well-being;
- 39 per cent of those reporting unfair treatment, and 55 per cent of those reporting discrimination, said it had a moderate or severe impact on their mental health/ well-being;
- Less than 50 per cent (29 per cent for those reporting discrimination) reporting unfair treatment said it had no impact on their mental health/ well-being at all;
- 20 per cent of those reporting unfair treatment, and 28 per cent of those reporting discrimination, said the problem had a moderate or severe impact on relationships with their partner/ close family members.

In the remainder of this Chapter we will discuss our analysis of reports of unfair treatment or discrimination in the same sequence as followed in the previous chapter:

- First, we present some descriptive (bivariate) analysis of unfair treatment or discrimination to find out which workplace, job and individual characteristics are more prevalent (Section 8.1);
- Then move to model (multivariate analysis) reports of unfair treatment and discrimination and discusses the difficulties of comparing these results with other surveys (Section 8.2);
- And finally present some likely explanations for the model (Section 8.3).

8.1 Descriptive analysis of unfair treatment and discrimination

We now examine how different national, workplace, job and individual characteristics relate to these problems in Table B8.1. As noted in Section 7.3, the workplace and job and even individual characteristics may have changed since the problems occurred, this caveat should be borne in mind when considering the table and the key bivariate differences are as follows:

Region and workplace characteristics, sample numbers were too small to say whether employees in England were significantly more likely to report unfair treatment. Reports of discrimination, however, appeared to be more frequent in England than Scotland. Corporate resources did not appear to make a significant difference to the reporting of unfair treatment or discrimination. The exception was workplaces with an equal opportunities policy whose employees were less likely to report unfair treatment.

Job characteristics, routine and manual workers, and those without managerial or supervisory duties, were more likely to report unfair treatment than managerial or professional employees or those with managerial or supervisory duties. Amongst the job characteristics listed in the table, those with shorter service were more likely to report unfair treatment or discrimination than those who have been in their jobs for more than fifteen years. The lower pay bands also reported more unfair treatment and discrimination. Current employees were less likely to report either unfair treatment or discrimination than former employees. Those with more than one job were more likely to report unfair treatment.

Individual characteristics, those aged 16-24 were more likely to report unfair treatment than those aged 50 and over. Women and the disabled were more likely to report both unfair treatment and discrimination. BME/other employees were more likely to report discrimination. The small numbers of gay or lesbian employees in the sample meant that none of the results for sexual orientation were significant. Non-Christian employees were more likely to report unfair treatment.

8.2 Modelling unfair treatment and discrimination

As in Chapter 7, the difficulty with using any unfair treatment or discrimination in the previous two years as the dependent variable in our analysis was that some reports referred to unfair treatment or discrimination in a previous job for which the job and workplace characteristics included in the regression model, and even some of the individual characteristics, might not apply. We therefore decided that the correct dependent variable for regression analysis should be unfair treatment or discrimination in current job. The results are tabulated in Table B8.2. As before, the main effect of tightening the link between workplace and job variables and the employment problem(s) we are trying to model is to promote job and workplace characteristics over individual ones (in this case, age, sex and disability). See section 2.4 for a more in depth interpretation of the outputs in Table B8.2 and Table B8.3; and a description of the regression method used.

National and workplace characteristics, three variables proved to be significant in Model 1. Employees in the third sector were more likely to report unfair treatment or discrimination than employees in the private sector. Those in organisations without an equal opportunities policy were more likely to report unfair treatment or discrimination than those in workplaces with such policies. Finally, employees living in England were more likely to report unfair treatment or discrimination than employees living in Scotland.

Job characteristics, two variables were significant in Model 2. Trade union members and employees with more than one job were more likely to report unfair treatment or discrimination.

Individual characteristics, of the equality strands, sex and age appeared as significant. In Model 3 women and those aged 16-24¹⁹ and women were more likely to report unfair treatment or discrimination. Finally, the knowledge score and sufficiency of knowledge variable was significant in Model 3. As in Chapter 7, those who needed to know more were more likely to report problems irrespective of their level of knowledge.

Final model. The final multivariate analysis presented in Model 4 brings together a selection of these variables. The significant variables from the earlier models which do not appear in the final model are employment sector, nation/region, sex and age. Four variables were significant in the final model:

- **Equal opportunities policy.** Employees in workplaces with a written equal opportunities policy were about half as likely to report unfair treatment or discrimination as those without such a policy.
- **Trade union members** were 83 per cent more likely to report unfair treatment or discrimination than non-members.
- **More than one job.** People with more than one job were 94 per cent more likely to report unfair treatment or discrimination than those with only one job.

¹⁹ In addition, those aged 33-40 were more likely to report unfair treatment or discrimination than those aged 50 and over.

- **Knowledge score / Sufficiency of knowledge.** Finally, the variable which includes both a measure of general knowledge of rights and people's feelings that they have a deficit in their knowledge was also significant. No matter whether respondents had greater or lesser knowledge of employment rights, they were more likely (by between 94 per cent and 355 per cent) to report unfair treatment or discrimination if they felt they needed to know more about their rights.

There is limited utility in comparing these results with the 2005 pilot for the Fair Treatment at Work Survey (FTWS). The independent variables in the final model for the 2005 analysis did not include some workplace or job characteristics or variables, including the one we have used to represent awareness and knowledge of employment rights, so we would expect major differences in results between 2005 and 2008 which were simply the result of the changes in the way multiple regression was performed. In addition, we would expect variations in the results of the analysis on the two datasets to result from the difference in the dependent variable modelled.

In 2005, any unfair treatment in the previous two years was modelled whereas we have already explained that in 2008 we modelled the coefficients of unfair treatment or discrimination experienced with the current employer. We know that from additional multivariate analysis for 2009 not tabulated here, widening the dependent variable to include unfair treatment or discrimination with a former employer has the effect of bringing individual characteristics into the final model. In 2008 these were age, sex and disability – two of which featured in the 2005 results of the analysis. We can, however, record that membership of a trade union appeared as significant in the final model produced by regression analysis in both years. The models for discrimination at work in the Irish discrimination survey reported by Russell *et al* (2008:20) also identified trade union members as subject to a higher modelled risk for discrimination in work.

8.3 Possible explanations for the model

As we have just reiterated, none of the individual characteristics which feature in UK equalities legislation were significant variables in the final model for unfair treatment and discrimination. Should we interpret this result as a consequence of our use of a broad measure of unfair treatment which shifted respondents' attention away from the core concerns of the legislation? In order to pursue this, it would be useful to consider the patterns that lay behind those few significant results for individual characteristics that were reported in Section 8.2 alongside the results which were significant in the final model.

Gender

For example, further bivariate analysis not tabulated in this report shows that the reasons for unfair treatment or discrimination which were significant for women did not include gender. They were in relation to pregnancy, maternity or family and caring responsibilities. Moreover, for women, unfair treatment was more likely to be related to being allowed to work flexibly, and discrimination was more likely to relate to working hours. All of these problems

are covered by UK equalities legislation but they suggest that unfair treatment or discrimination against women because they were women was not the most common complaint. Reports of unfair treatment or discrimination were more likely to refer to the terms on which women engaged with the workplace as their circumstances changed and this was something that could affect men too. This might help to explain why in multivariate analysis which brought in other variables – such as trade union membership and equal opportunities policy – we found that gender ceased to be significant.

Age

Amongst individual characteristics, age was negatively related to unfair treatment and discrimination. Further bivariate analysis not tabulated in this report shows that those aged for 16-24 were more likely to mention age as a reason for unfair treatment but only those aged 50 and over were more likely to mention age as a reason for unfair treatment and for discrimination. In other words, those who identified age as a reason were in the group that was *less* likely to report unfair treatment or discrimination overall.

As with gender, some of the popular reasons for unfair treatment or discrimination – like attitude of others, relationships and a clique – were *not* significant for age. Those in the middle age groups were more likely to mention their position or family responsibilities as reasons for unfair treatment. Here, as with gender, it seems that age did not appear as significant in the final model because the reports of unfair treatment and discrimination amongst the group which reported more problems referred to issues that were not exclusive to this age group. There was nothing to suggest that the under 25s were more likely to say their unfair treatment was related to. For 25-49 year olds unfair treatment was related to being promoted and being allowed to work flexibly. Those aged 50 and over were, unsurprisingly, more likely to say that their unfair treatment was related to retirement.

Equal opportunities policy

The presence or absence of a written equal opportunities policy made no difference to the reporting of specific employment rights problems but we have now seen that having a written equal opportunities policy made respondents less likely to report unfair treatment or discrimination. Again, without further research, and particularly research which is not cross-sectional, we must speculate about the reasons for this. One obvious explanation would be that equal opportunities policies reduce the incidence of unfair treatment or discrimination in workplaces that possess them.

On the other hand, familiarity with such policies might acquaint employees with more stringent criteria for the application of these terms. Employees in workplaces without such policies would have less hesitation in applying these terms more generally and therefore would make more complaints of unfair treatment and discrimination. Given that we are discussing workplaces with equal opportunities policies, and not employees receiving equal opportunities *training*, this seems less plausible. The presence of a policy is less likely to suggest that employees were better able to identify unfair treatment or discrimination than that their employer had acted to reduce these problems or, at the least, given the appearance of doing so. In this case, respondents in

workplaces with equal opportunities policies would be less likely to convert their perceptions into complaints of unfair treatment or discrimination. At the extreme, knowledge of such a policy might close off the fundamental process of problematising behaviour. In this way, such policies could work like expectations of reasonable behaviour from employers, and high trust relations with employers, mentioned in the previous chapter: they would serve to reassure employees that their workplace was not the kind of workplace where problems could occur.

Trade union membership

The finding that trade union members were more likely to report employment problems had already emerged in the previous chapter. Now we know that this applied to unfair treatment and discrimination as well as to problems with specific employment rights. In Chapter 7, we suggested one explanation for this finding might be that people with problems join trade unions as a result of their experience, perhaps after having approached trade unions (as non-members) to ask for help and advice.

Recall that charts 6.9 and 6.10 list the things respondents said their unfair treatment or discrimination was related to. The most popular of these were 'being ignored', 'type of work given' and 'workload'. The things trade union members said that their unfair treatment or discrimination was related to were quite different. In further bivariate analysis not tabulated in this report, trade union members were more likely than non-members to say that the unfair treatment they had experienced was related to applying for a job, getting training, and assessment of work. Trade union members were also more likely to say that the discrimination they had experienced related to other benefits, applying for a job, being promoted and getting training. It is interesting that the aspects of unfair treatment or discrimination which are commonly thought of as their defining features (applying for a job, being promoted and, to a lesser degree, getting training) should figure so prominently for trade union members. It might be that employees who approached trade unions for help and advice would be more likely to find that help forthcoming where their concerns were unambiguously central to the legislative framework. Perhaps it is therefore reasonable to expect that it would be experience of the characteristic problems of unfair treatment or discrimination that would prompt people to join trade unions.

More than one job

Why were employees with more than one job more likely to report unfair treatment or discrimination? Were they reporting problems because these problems contribute to the circumstances that lead them to take on an extra job to try to make ends meet? Or was it simply that they were employed in two workplaces so doubled their opportunity to encounter a problem of this type? Or was it that the demands of two jobs made it difficult for employers to treat them in the same way as everyone else and this was experienced as unfair treatment? Whatever the answer, those with more than one job remain a small group and we know that for the great majority there is very little to distinguish the employees who were likely to make these complaints from the working population at large.

Knowledge score and sufficiency of knowledge.

As in Chapter 7, we have found that those who needed to know more were more likely to report problems whether their knowledge was relatively good or bad²⁰. We suspect that reports of unfair treatment or discrimination were distributed in a largely random way across the population and it was only when an employee experienced such problems that they decided they needed to find out more about their employment rights. Chart 7.2 showed that employees who experienced unfair treatment or discrimination were even more likely to fear victimisation than those who reported problems with employment rights. Employees who reported discrimination, for example, were three times as likely to fear victimisation as employees in the sample as a whole. It is plausible that such employees would be particularly determined to learn more about their employment rights. The possibility also remains, however, that this is not simply a question of the salutary effects of experiencing problems. It might be that those who did not trust their employers – for example those who fear victimisation if they make a complaint – were more likely to identify problems. In this case we might suggest that such employees are particularly prone to reporting discrimination and unfair treatment.

8.4 Summary

Who was more likely to suffer from unfair treatment or discrimination?

- Employees in workplaces with a written equal opportunities policy were about half as likely to report unfair treatment or discrimination as those without such a policy.
- Trade union members were 83 per cent more likely to report unfair treatment or discrimination than non-members.
- People with more than one job were 94 per cent more likely to report unfair treatment or discrimination than those with only one job.
- No matter whether the respondent had greater or lesser knowledge of employment rights, they were more likely (by between 94 per cent and 355 per cent) to report unfair treatment or discrimination if they felt they needed to know more about their rights.

Possible explanations for these results

- Equal opportunities policies reduced the incidence of discrimination and unfair treatment.

²⁰ Multivariate analysis also raised the tantalizing possibility that level of knowledge might have some effect on the likelihood that a respondent might report unfair treatment or discrimination. Amongst those who felt they needed to know more, it was those with less knowledge who were significantly more likely to report unfair treatment or discrimination with their current employer. It seems, therefore, that employees whose knowledge was relatively weak might be more reliant on the experience of unfair treatment or discrimination to demonstrate that they needed to learn more about their rights. Although it narrowly failed to achieve significance in the final model, there was another, similarly interesting finding in Model 3. Amongst those who did not feel they needed to know more it was those who were better informed who were more likely to report problems. This might suggest that those who were better informed decided they knew enough to conclude that the relevant rights legislation did not apply to them, for example because they did not qualify on any of the equality grounds.

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- Equal opportunities policies reassured employees that problems could not occur in their workplace.
- The possible explanations from the previous chapter apply in respect of trade union membership, although this chapter added a little weight to the suggestion that people with problems joined trade unions as a result of their experience.
- Without further research, there is little in our data to help us explain the finding for employees with more than one job.
- Perceptions of unfair treatment or discrimination were particularly likely to undermine an employee's trust in their employer.
- Employees who did not trust their employer were particularly prone to report discrimination and unfair treatment.

9 Harassment, bullying and negative behaviour

The responses to sexual harassment, and to any other serious problems which had a severe impact on the respondent's physical or psychological health/ well-being, were included in the dependent variable for multivariate analysis of bullying and harassment. We begin this chapter with some additional information about these kinds of problems (Table B9.1), and the impacts they had on employees (Table B7.5), before proceeding to bivariate and multivariate analysis in the same sequence as in the previous chapters. None of the questions reported in Table B9.1 were asked of those reporting 'any other serious problem impacting on their health/ well-being' however the impacts of this type of problem were investigated and reported in Table B7.5, and these are discussed below.

Table B9.1 shows that almost half of the sex harassment reports referred to a longer-term problem and less than a quarter to a one-off incident. These proportions were very similar to those reported for other types of bullying and harassment. Three quarters of the reports of sex harassment referred to current employment and again this was very close to the proportion for other types of bullying and harassment. One in five reports of sex harassment referred to ongoing problems whereas nearly a third of the reports of other types of harassment and bullying referred to ongoing problems and just over half to problems which were now definitely over.

Just over half of those who were identified as responsible for sex harassment were employers, managers or supervisors. Nearly one in four of those identified as responsible were co-workers. (Note that respondents were allowed to identify more than one type of person as responsible). Finally, those who were identified as responsible were predominantly male and white.

Three-quarters of reports of harassment and bullying identified employers, managers or supervisors as responsible. Just over a quarter of those identified as responsible were co-workers (again, multiple coding was allowed)²¹. Men were responsible for 55 per cent of reported instances whereas women were said to be responsible for 36 per cent (8 per cent of reports concerned both men and women). Finally, 88 per cent of those identified as responsible were reported to be White with 6 per cent reported to be Asian.

Small numbers in the table reporting the impacts of sex harassment and other types of bullying and harassment (Table B7.5) prohibit detailed comparison with other types of problem. We can simply reiterate the point made in

²¹ Further bivariate analysis (not shown here) suggests that private sector workers were more likely than workers in the public sector to say they had been bullied or harassed by their employer, supervisor or manager. Public sector workers (and trade union members and those with equal opportunities training and lower managerial occupations) were more likely than private sector workers to say it was subordinates who were responsible. Non-permanent workers were much more likely than permanent workers to say co-workers were responsible for bullying or harassment, and this was the same for part-timers versus full-timers. In addition there was some suggestion of co-workers being more commonly identified as responsible amongst employees in SMEs, those with very short tenure and low pay. Finally, there was a suggestion of higher management and professionals being more likely to identify the organisation (rather than an individual) as responsible for bullying or harassment.

Chapter 7 about these impacts being generally more substantial than they were for specific employment rights problems. In fact,

- Amongst those who had subsequently changed their jobs, 78 per cent of those who reported bullying and harassment said they had left because of it; 66 per cent of those with another serious problem impacting on their health/ well-being said the same; most of both groups resigned/left of their own accord.
- 25 per cent said the bullying and harassment had a moderate or severe impact on finances; 29 per cent said another serious problem impacting on their health/ well-being had a moderate or severe impact on finances.
- 42 per cent said the bullying and harassment had a moderate or severe impact on physical health/ well-being; 67 per cent of those who reported another serious problem said it had a moderate or severe impact on physical health/ well-being.
- 48 per cent said the bullying and harassment had a moderate or severe impact on mental health/ well-being (less than a quarter said it had no impact at all); 75 per cent of those who reported another serious problem said it had a moderate or severe impact on physical health/ well-being (only 12 per cent said it had no impact at all).
- 27 per cent said the bullying and harassment had a moderate or severe impact on relationships with partner/close family members; 45 per cent of those who reported another serious problem said it had a moderate or severe impact on relationships with partner/close family members

In the remainder of this chapter we will discuss our analysis of reports of bullying and harassment (including sex harassment and any other serious problem impacting on their health/ well-being) in the same sequence as followed in the previous chapter.

- First, we present some descriptive (bivariate) analysis of sex harassment, bullying and harassment and any other serious problem impacting on health/ well-being to find out which workplace, job and individual characteristics are more prevalent (Section 9.1);
- Then move to model (multivariate analysis) reports of problems of this kind and discusses the difficulties of comparing these results with other surveys (Section 9.2);
- present some likely explanations for the model (Section 9.3);
- and finally some analysis of the questions reporting negative behaviour in the workplace (Section 9.4).

9.1 Descriptive analysis of sex harassment, bullying and harassment and any other serious problem impacting on health/ well-being

We are first briefly going to look at the bivariate analysis for each of these problems. Table B8.1 shows that sex harassment rose above 1 per cent with just a few characteristics. Since the numbers of respondents reporting sex harassment were so small, bivariate analysis for this kind of problem does not tend to produce significant results but almost all those reporting sex harassment were women. We are able to say a little bit more about significant bivariate results for the other types of bullying and harassment from Table B8.1:

National and workplace characteristics, SIC is the only significant variable with employees in Public Administration reporting more bullying and harassment than employees Manufacturing or Construction²².

Job characteristics, those with more than one job were more likely to report bullying and harassment than those with one job.

Individual characteristics, trade union members, women, the disabled, and gay, lesbian and bisexual employees were more likely to report bullying and harassment.²³ In addition, Table B7.2 suggests that the disabled were more likely to report other serious problems which have had a severe impact on their physical or psychological health/ well-being.

9.2 Modelling sex harassment, bullying and harassment and any other serious problem impacting on health/ well-being

The dependent variable for the multivariate analysis reported in Table B9.2 was any experience of bullying or sexual harassment or any other problem with a severe on health/ well-being. See section 2.4 for a more in depth interpretation of the outputs in Table B9.2 and Table B9.3; and a description of the regression method used.

National and workplace characteristics, Model 1 shows none of these characteristics were significant.

Job characteristics, Model 2 shows that those with more than one job, members of trade unions and those with less than a year's service were more likely to report these types of problems.

Individual characteristics, Model 3 shows that women and the disabled were more likely to report these problems.

²² In the 2005 pilot FTWS, the incidence of bullying and harassment was twice as high in the public sector as the private sector but this was explained in part as a compositional effect.

²³ In the 2005 pilot FTWS, women and disabled workers were more likely to report bullying and harassment and both of these groups were more likely to work in the public sector.

Final model. None of the national or workplace characteristics were significant in Model 4 but all of the job characteristics mentioned above appeared in the final model.

- **Trade union members** were 84 per cent more likely to report bullying or harassment;
- **More than one job.** Those with more than one job were 99 per cent more likely to report bullying or harassment;
- **Job service.** Those with less than a year's job service were between 62 per cent and 130 per cent more likely to report bullying and harassment than employees in each of the longer-service brackets.
- **Gender.** Women were 73 per cent more likely to report bullying or harassment than men;
- **Disabled.** Those who were disabled were more than twice as likely to report bullying and harassment;
- **Sexual orientation.** Those who were and gay, lesbian and bisexual employees were almost 4 times more likely to report bullying and harassment than heterosexuals;
- **Knowledge score / Sufficiency of knowledge.** Finally, those who needed to know more about their rights were between 91 per cent and 161 per cent more likely to report bullying and harassment as those who did not need to know more. This relationship existed for those who knew more about employment rights as well as those who knew less.

In one respect, using any experience of bullying or sexual harassment or any other problem with a severe impact on health/ well-being as the dependent variable for this analysis is not ideal. Respondents were asked about bullying and harassment in the previous *two* years whereas they were asked about their experience of another problem with a severe impact on health/ well-being over the previous *five* years. We can get round this difficulty by using data for this last variable which occurred as part of a main problem which happened in 2006 or later. This version of the dependent variable serves as a handy check to make sure we are not detaching the problems we want to model from the characteristics we are using to explain them. The results for the final model of this dependent variable were very similar to those for the first version except that length of service was not significant when we modelled problems occurring over a shorter time span.²⁴

One further check on the dependent variable was conducted by leaving out the 'any other serious problem' category altogether and modelling bullying and harassment and sex harassment in the last two years. This was a rather crude way of dealing with the different time scales of the different questions because any differences that arose with this variable might have had little or nothing to do with time scale and more to do with differences between the correlates of bullying and harassment and any other serious problem to do with health/ well-being. Such differences had not been evident in the bivariate analysis but we could not rule them out entirely. In fact, the effect was the same as before: the same variables were significant with exception of length of service which

²⁴ In addition, those who were not well informed and needed to know more were 67 per cent more likely to report problems than those who were well informed and needed to know more. In other words, employees whose knowledge was relatively weak seemed to be more reliant on the experience of bullying and harassment to demonstrate that they needed to learn more about their rights.

ceased to be significant when the time period for reporting problems was shortened.

None of the variables we have identified as significant figured in the final regression model in Irish Bullying in the Workplace Survey (O'Connell, et al 2007). The significant variables in the Irish survey were employees in education, public administration, personal services and transport; establishments with 26 or more employees; and higher academic qualifications. The Irish study also included some significant variables, not available in the main FTWS²⁵, which showed changes in management or corporate reorganisation increased bullying risk. Finally, O'Connell et al (2007) found that a formal policy on workplace bullying reduced reports of bullying.

9.3 Possible explanations for the model

Trade union membership

Plausible explanations for the finding that being a trade union member increased the reporting of employment problems have already been discussed in Chapters 7 and 8.

More than one job

The finding that employees with more than one job were more likely to report problems has also been discussed before (in Chapter 8) and the results reported in this Chapter seems to confirm the comprehensive vulnerability of this small group to ill-treatment in the workplace. We are, however, no nearer to finding a likely explanation for this finding.

Job service

The new finding that those with employment tenure of less than a year were more likely to report problems than those with any other period of service was not confirmed when the period of time in which problems were reported was curtailed. Yet, if reports of bullying and harassment were more likely to occur earlier in an employee's tenure of a job, it is in fact more likely that the shorter period for problems would disproportionately reduce the number of such problems included in the model for those with longer service. This would follow because the initial period of employment for those with longer service would now be outside the model. In this case we would expect the association between tenure of less than a year and bullying and harassment to be confirmed, even strengthened. The fact that this does not happen argues against the suggestion that it is during the first twelve months of a job that people are particularly likely to report bullying or harassment. We might therefore consider whether the finding reported in Table B9.2 is evidence that bullying and harassment may have increased in the very recent past. The next

²⁵ Though these questions were included in the self-completion supplement to the 2008 FTWS which is not covered by this report.

section may give us some help with this since it summarises the bivariate analysis of negative behaviour in the workplace.

Gender

Why might women be particularly likely to report bullying and harassment but not other types of employment problem? Might it be the case, for example, that when faced with the same behaviour, women were more likely than men to report that they have been bullied or harassed? Once more the next section may give us some help with this question since it summarises the bivariate analysis of negative behaviour in the workplace which respondents could report without being required to label this behaviour bullying or harassment.

Disabled and long-term sick

The disabled and those with long-term conditions featured in Chapter 7 for employment rights problems but in this chapter we revisit the idea that some of the association with problems might be caused by the effects of bullying and harassment. In Chapter 7 the problems the disabled experienced with employment rights tended to be the problems we would anticipate amongst employees who were already disabled or have a long-term illness. It is much easier to find support for the suggestion that being disabled might be a dependent variable in the current chapter where we have noted that 42 per cent of those who experienced it said the bullying and harassment had a moderate or severe impact on physical health/ well-being (48 per cent for mental health/ well-being).

Sexual orientation

The absence of significant results for gay, lesbian and bisexual employees in earlier chapters should be given less weight than the absence of significant results for women in Chapters 7 and 8 simply because the analysis of sexual orientation was severely limited by the small numbers of cases we were able to include in our models. It may well be that a survey with a larger sample of gay, lesbian and bisexual employees would be able to show that this group was vulnerable to more than one kind of employment problem. This was certainly the implication of analysis of the 2005 pilot for the FTWS (Fevre, Grainger and Brewer, forthcoming). It is underlined by the large percentages for gay lesbian and bisexual employees' experiences of both specific problems with employment rights (Table B7.1) and unfair treatment and discrimination (Table B8.1) which nevertheless fail to produce significant results in multivariate analysis.

Knowledge score / Sufficiency of knowledge.

Some plausible explanations for this finding have already been discussed in Chapters 7 and 8.

9.4 Negative behaviour in the workplace

Chapter 6 introduced a measure of negative behaviour which provided another way of investigating some of the workplace problems which are conceptualized as bullying or harassment. Recall from Table 6.2 that just over half the sample reported some experience of such negative behaviour. The results of the seven-item measure are reported in Table B9.4. There are similarities between the multivariate analysis of bullying and harassment and these findings in the bivariate analysis of the negative acts factors²⁶. Most obviously, being a member of a trade union and being disabled occurred in all three types of negative behaviour which are summarised in the Table.

National and Workplace Characteristics, show private sector employees were less likely to report denigration and disrespect and public sector employees were (overwhelmingly) more likely to report violence. Employees in workplaces with trade union recognition were more likely to report all three types of negative behaviour. Those in workplaces with a HR department were more likely to report unreasonable management and violence. Those in workplaces with an equal opportunities policy were more likely to report violent negative acts. Finally employees in Public Administration were more likely to report denigration and disrespect and violence than employees in Banking.

Job Characteristics, routine and manual employees were more likely than managerial and professional employees to report denigration and disrespect. The same was true for those earning under £25,000 a year versus higher-paid employees. The reverse was true of unreasonable management and violence: managerial and professional employees were more likely than routine and manual employees, and those earning over £15,000 were more likely than those earning less than £15,000, to report them. Full-time workers were more likely than part-time workers to report unreasonable management and violence. Those who had experienced equal opportunities training were more likely than those who had not, to report denigration and disrespect and violence.

As mentioned above, trade union members were more likely than non-members to report all three negative acts factors. This perhaps makes it less feasible that trade union members were more likely to report bullying and harassment simply because they were more inclined to label particular behaviours in this way. The numbers of employees with more than one job was too small to allow us to reach conclusions from bivariate analysis of negative behaviour. The analysis does, however, suggest that employees with the shortest period of service were *less* likely to report any type of negative behaviour whereas they were *more* likely to report bullying and harassment.

Individual Characteristics, women were more likely than men to report both denigration and disrespect and violence. The UK born were more likely than

²⁶ Note that the specialist literature tends to assume that there is limited overlap between negative behaviour and self-identified victims of bullying. In particular, less than half of the respondents that are counted as bullying victims by researchers analysing responses to the negative acts questionnaire reported themselves as bullied (Salin, 2001; Notelaers et al, 2006; Lutgen-Sandvik et al, 2007).

those born elsewhere to report all three types of negative behaviour. Finally, the disabled were more likely than non-members to report all three negative acts factors. As with the variable for more than one job, the number of gay, lesbian and bisexual employees was too small to allow us to draw conclusions from bivariate analysis.

Table B9.4 reports bivariate analysis, so we do not know whether women were significantly more likely to report negative behaviour net of statistical controls. For example, women may be more likely to work in an employment sector which exposes them to more negative behaviour, for example more violence (cf. Fevre, et al 2008). While bearing this in mind, the table does not provide evidence to support the suggestion that when faced with the same behaviour, women were more likely than men to report that they have been bullied or harassed.

Finally, the fact that the disabled and those with long-term illnesses were more likely to report all three types of negative behaviour does not really help us to decide whether being ill or disabled is an effect or a cause of the reported problem. This association is particularly pronounced for unreasonable management and denigration and disrespect but is significant for all 7 individual measures of negative behaviour. For example, the disabled and those with long-term illness were more likely to report all of the following monthly or more often: proper procedures (9 per cent versus 2 per cent), disrespectful or rude (11 per cent versus 6 per cent), humiliated and ridiculed (4 per cent versus 1 per cent). Further analysis is needed to investigate the association between different types of illness, including obvious physical disability and emotional and psychological problems, and both bullying and harassment and negative behaviour (cf. Fevre, et al 2008). A priority for this research should be the possible concentration of reports of violence in the workplace amongst those reporting one or more of these long-standing conditions: arthritis, asthma, blood/circulation problems, cancer, diabetes, digestive/bowel disorders.

9.5 Summary

Who was more likely to suffer from bullying or harassment?

- Trade union members were 84 per cent more likely to report bullying or harassment,
- Those with more than one job were 99 per cent more likely to report bullying or harassment
- Those with less than a year's job service were between 62 per cent and 130 per cent more likely to report bullying and harassment than employees in each of the longer-service brackets.
- Women were 73 per cent more likely to report bullying or harassment than men.
- Those who were not disabled were less than half as likely to report bullying and harassment.
- Those who were and gay, lesbian and bisexual employees were 271 per cent more likely to report bullying and harassment than heterosexuals.

- Employees who needed to know more about their rights were between 91 per cent and 161 per cent more likely to report bullying and harassment as those who did not need to know more.

Possible explanations for these results

- The result for bullying and harassment means trade union members were now significantly more likely to report all the problems discussed in Chapters 5 to 9. As with the previous chapter, it may now be a little more likely that membership of a trade union is a dependent variable.
- Holding more than one job which, like being in a trade union, is significant for more than one type of problem at work but we are no further advanced in understanding why this might be so.
- The picture for employees with short service is perplexing because the results for bullying and harassment are contradicted by bivariate results for negative behaviour. This might suggest that any very recent increase in reports of bullying and harassment has occurred because people are more prepared to apply this label.
- There is no evidence to suggest that women were more likely to apply the label of bullying and harassment than men. Indeed, bivariate analysis of negative behaviour suggests women were more likely to report violence as well as denigration and disrespect. To develop explanations of the effect of gender on bullying and harassment we need more information on who is said to be responsible and in what circumstances this behaviour occurs.
- The disabled and long-term sick appear in the final model of multivariate analysis once more but, in contrast to the results for specific problems with employment rights, there is more than a hint that bullying and harassment were contributing to problems with physical or mental health/ well-being.
- The analysis reported in this chapter does not suggest that reports of bullying and harassment are quite as randomly distributed as reports of unfair treatment and discrimination. Perhaps surprisingly, it seems that bullying and harassment were more likely to be reported by some of the employees who were protected by equalities legislation, including gays, lesbians and bisexuals.
- We have nothing to add on the need to know more about employment rights.

10 Do the most serious problems get resolved?

In Chapter 5, we found around a third of survey respondents had a problem at work mainly covering either employment rights in the last 5 years (29 per cent) or covering unfair treatment (13 per cent), discrimination (7 per cent) and bullying (7 per cent) in the last 2 years. Section 6.5 looked at a subset of these problems by asking respondents ‘to focus on their most serious problem at work’ and this chapter continues with these problems by exploring:

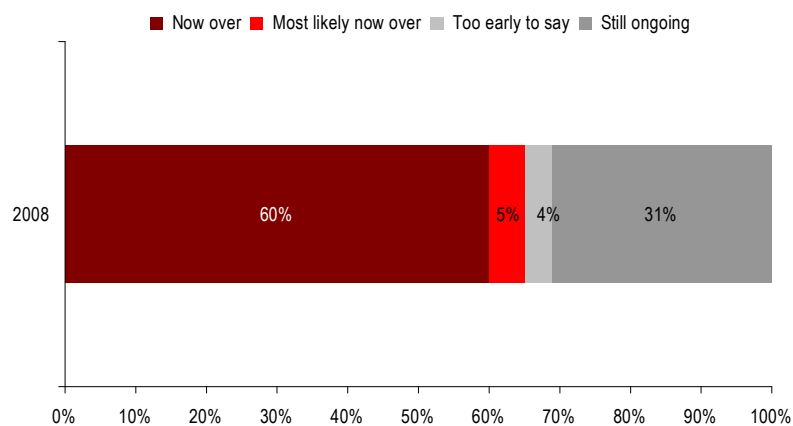
- whether they are over (Section 10.1), and if so:
- how long it took to resolve them (10.2)
- and what was the final outcome (10.3).

Whilst some headline changes were seen with British employees feeling better informed about their rights than they did in 2005 (Chapter 3) and reporting less problems in this area too (Chapter 6), less has changed around resolving those problems since 2005. With this survey, however, we are able to present a more comprehensive and robust set of results than we did before. It is also worth noting the survey was conducted before changes to the dispute resolution system were implemented in April 2009²⁷. These changes were a result of a Government consultation on the recommendations of the Gibbons Review into better dispute resolution.

10.1 Current status of most serious problems

Chart 10.1 shows how survey respondents assessed the current status of their most serious problem. The majority were clear about whether the problem was ‘now over’ (60 per cent) or ‘still ongoing’ (31 per cent). Relatively few (9 per cent) gave responses of ‘most likely now over’ or ‘too early to say’. On a comparable set of problems between the 2005 Employment Rights at Work Survey (ERWS) and 2008 Fair Treatment at Work Survey (FTWS), there is little change in these results.

Chart 10.1 Current status of most serious problems



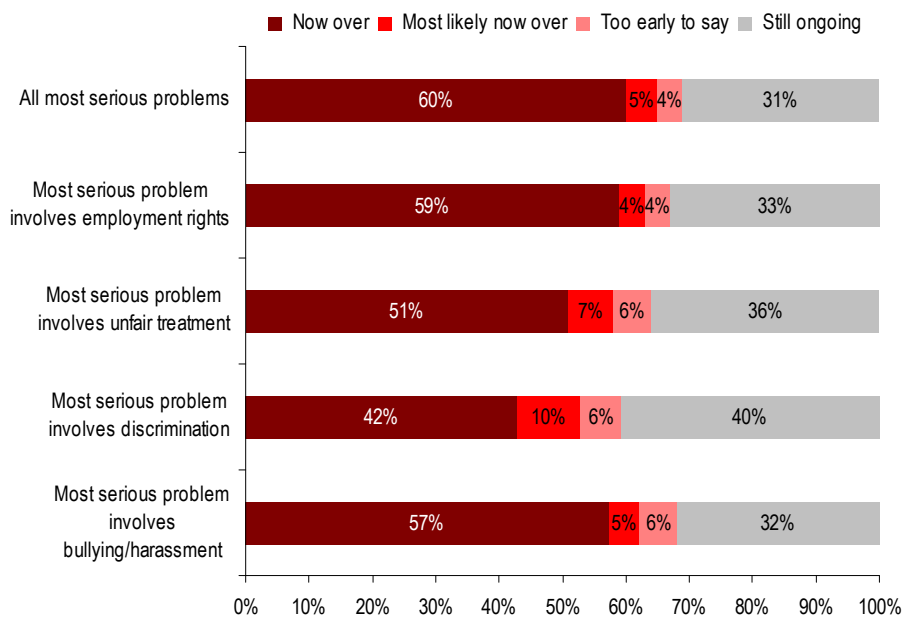
Source: BIS's FTWS 2008

Base: All respondents that have had a most serious problem at work asked Q6.8 (weighted = 1313; unweighted = 1300);

²⁷ See review and consultation at www.berr.gov.uk/consultations/page38508.html.

In Chart 10.2 we start to look for differences between the 4 main problems categories. The chart indicates the majority of problems with specific employment rights and bullying/ harassment (59 and 57 per cent) are 'now over' in comparison with unfair treatment (51 per cent) and discrimination (42 per cent). Further a larger number of respondents with the latter two problems state their problem is 'most likely now over' or 'too early to say' compared with the former two. While neither of these results are statistically significant this raises the question of whether such problems involve greater uncertainty or complexity and are therefore more difficult to resolve. We explore this further in the next section.

Chart 10.2 Current status of most serious problem by type of problem



Source: BIS's FTWS 2008

Note: 'Employment rights' includes 'Other problem to do with rights at work' as well as the individual employment rights. There were only 11 (unweighted) cases of a most serious problem that involved sexual harassment, so results are not shown separately

Base: All respondents that have had a most serious problem at work involving the specified problem category from Q6.8

(All unweighted=1300; employment rights unweighted = 937 ; unfair treatment unweighted = 266; discrimination unweighted = 143 ; bullying/harassment unweighted= 163)

10.2 Average time taken to resolve problems

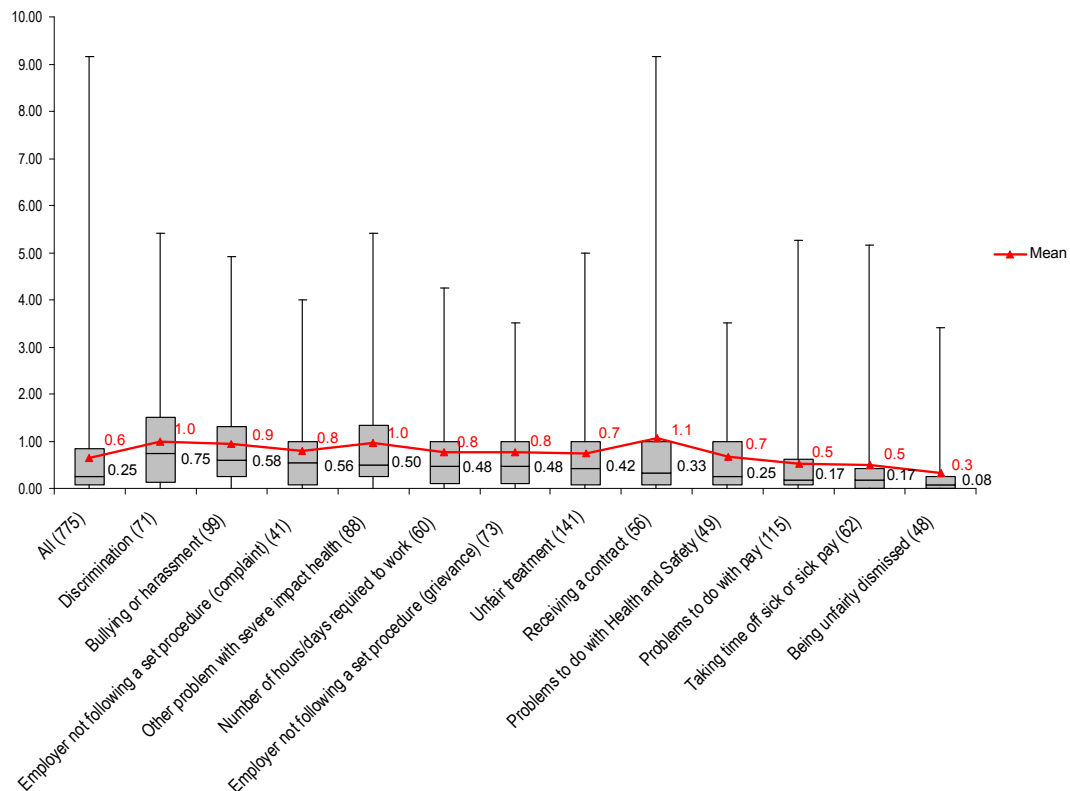
The elapsed time between the start of the problem and its resolution was asked of all those who felt their problem was 'now over' or 'most likely now over'. In Chart 10.3, the median resolution time, numbers in black on the chart, is 3 months compared with the mean, numbers in red on the chart, of about 8 months. The large difference is due to the skew in distribution by a minority of problems taking some time to resolve which affects the mean more than the median.

On a comparable set of problems, this shows a moderate increase between surveys from around 6 months in 2005 Employment Rights at Work Survey (ERWS). Interestingly, the 2008 results are the same as those in the English and Welsh Civil and Social Justice Survey (EWCSJS) which also found a mean elapsed time of 8 months and median elapsed time of 3 months for

employment problems (Pleasence, 2006). See the glossary for information on the comparability between the two surveys.

To explore whether certain problems take longer to resolve than others, the chart also looks at the mean length of time (years) and distribution (each box represents first quartile (bottom), median (middle), third quartile (top) and range at the tails). This is for selected problem types as we are restricted by the available sample size to only the most common problems.

Chart 10.3 Length of time to resolve problems (years)



Source: BIS's FTWS 2008

Base: Respondents that have had a most serious problem at work involving the specified problem category, where the problem has been resolved from Q6.2, Q6.9 (unweighted bases shown in brackets)

On the more representative median measure, we see problems that involve discrimination (9 months), bullying/ harassment (about 7 months) and the employer not following a set disciplinary (complaint) procedure (about 7 months) tend to take longer to resolve. These are followed soon after by those with a severe impact on health/ well-being (6 months), a limit on working hours (about 6 months), employer not following a set grievance procedure (about 6 months) and unfair treatment (about 5 months). Then followed by specific employment rights problems related to contract (about 4 months), health and safety (3 months), pay (about 2 months), sick pay (about 2 months) and unfair dismissal (about 1 month) taking less time to resolve. Most of the differences are not significant.

This gives some support to the observation in Section 10.1 that some problems like those involving discrimination take longer to resolve.

Comparisons with the 2005 ERWS results shows some change where the following average duration times for problems were presented; a limit on working hours (1 year), the employer not following a set grievance procedure (5 months), pay (5 months) and not following a set disciplinary (complaint) procedure (3 months), compared with averages of about 9 ½ months, 9 ½ months, 6 months and about 9 ½ months respectively for each problem in 2008. Much of this variation could probably be down to sample size, since in the 2005 ERWS there were only around 20 observations to base these estimates on (55 for pay), whilst in 2008 we have between 40 and 70 observations (115 for pay).

How different national, workplace, job and individual characteristics relate to the *median* length of time taken to resolve the most serious problem is provided in Table B10.1. Note the workplace, job and even individual characteristics may have changed since the most serious problems arose. This caveat needs to be borne in mind when considering the table and the key bivariate differences as follows:

National and workplace characteristics, while Section 5.1 (Table B5.1) suggested Wales had a higher percentage of respondents reporting any problems, but findings here show their most serious problems take less time to resolve compared with England. The opposite appears true for those working in the third sector, but this result is not significant due to small sample sizes. In terms of other workplace characteristics, the most serious problems in workplaces with recognised trade unions, in the public sector and in banking, finance and insurance take longer to resolve compared with other workplaces.

Job characteristics, according to Section 5.1 those in routine or manual occupations, with shorter job tenure and lower earnings were all found to report more problems at work, we find the most serious problem of these same characteristics also take less time to resolve. This also applies to non-permanent workers and those without managerial or supervisory duties or equal opportunities training. While trade union members were more likely to experience problems in every main category (Table B7.1 and B8.1), their most serious problems actually take longer to resolve compared with non-members.

Individual characteristics, while those with a disability or long-term health condition were more likely to experience problems overall (Table B5.1) and in every main category (Table B7.1 and B8.1), we now find their most serious problems take more time to resolve compared with those without such a condition. The same appears true for gay/lesbian/bisexual respondents, but this result is not significant due to small sample sizes. Younger workers (16 – 24 year olds) were found to report more specific employment problems and unfair treatment or discrimination (Table 7.1 and 8.1) and here we find their most serious problems take less time to resolve.

Except for the disabled and trade union members, in many of the groups who reported more problems in Chapters 5 - 9 the bivariate analysis shows shorter resolution times. Otherwise resolution times were broadly the same. Some of these results may be explained by the type of problems these groups are more likely to experience where the disabled and trade union members were more likely to experience a range of problems.

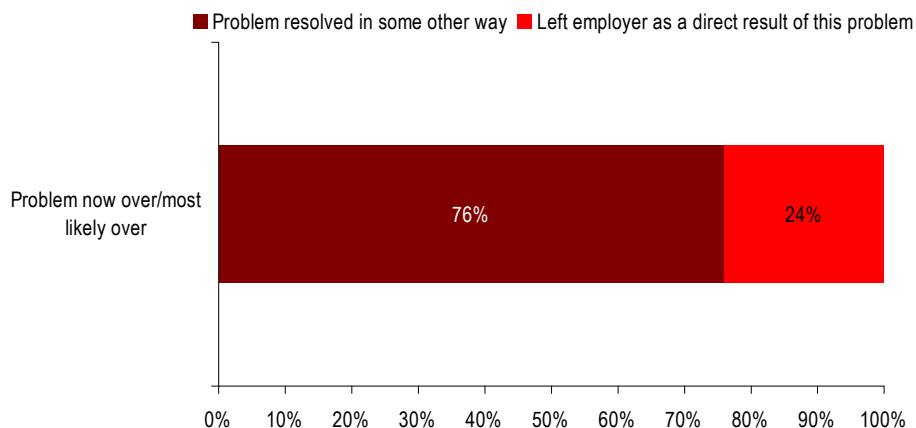
Unsurprisingly, the median resolution time of a problem is slightly longer (between 5 and 10 months) when the respondent has consulted either a trade union at work or outside work, ACAS or a solicitor compared with when they haven't (2 – 4 months). Similar results were found when the respondents tried more formal means of resolving the problems like a formal meeting, put their concerns in writing, making an employment tribunal application or getting someone to act on their behalf. None of these results were significant and differences were generally in terms of a month or two. This result was also found in the 2005 ERWS.

We chose not to explore further how all these characteristics interrelate. Instead we move to explore the eventual outcome from the problem, as it can be argued it is more important to understand what contributes to a problem being successfully resolved than how long this takes.

10.3 Outcome of most serious problem

The majority (73 per cent) of those who had experienced problems at work had stayed with the same employer, compared with 72 per cent in the 2005 ERWS. When looking at those whose most serious problem was 'now over' or 'most likely over' this rises slightly to 76 per cent as shown in Chart 10.4. When those who had subsequently changed employer were asked whether this decision was a direct result of the problem, 50 per cent said this was in 2008 which compares very closely to 53 per cent who said this in 2005. This equates to 18 per cent of respondents who had experienced a problem and said that they left their employer as a direct result.

Chart 10.4 Outcome of most serious problem



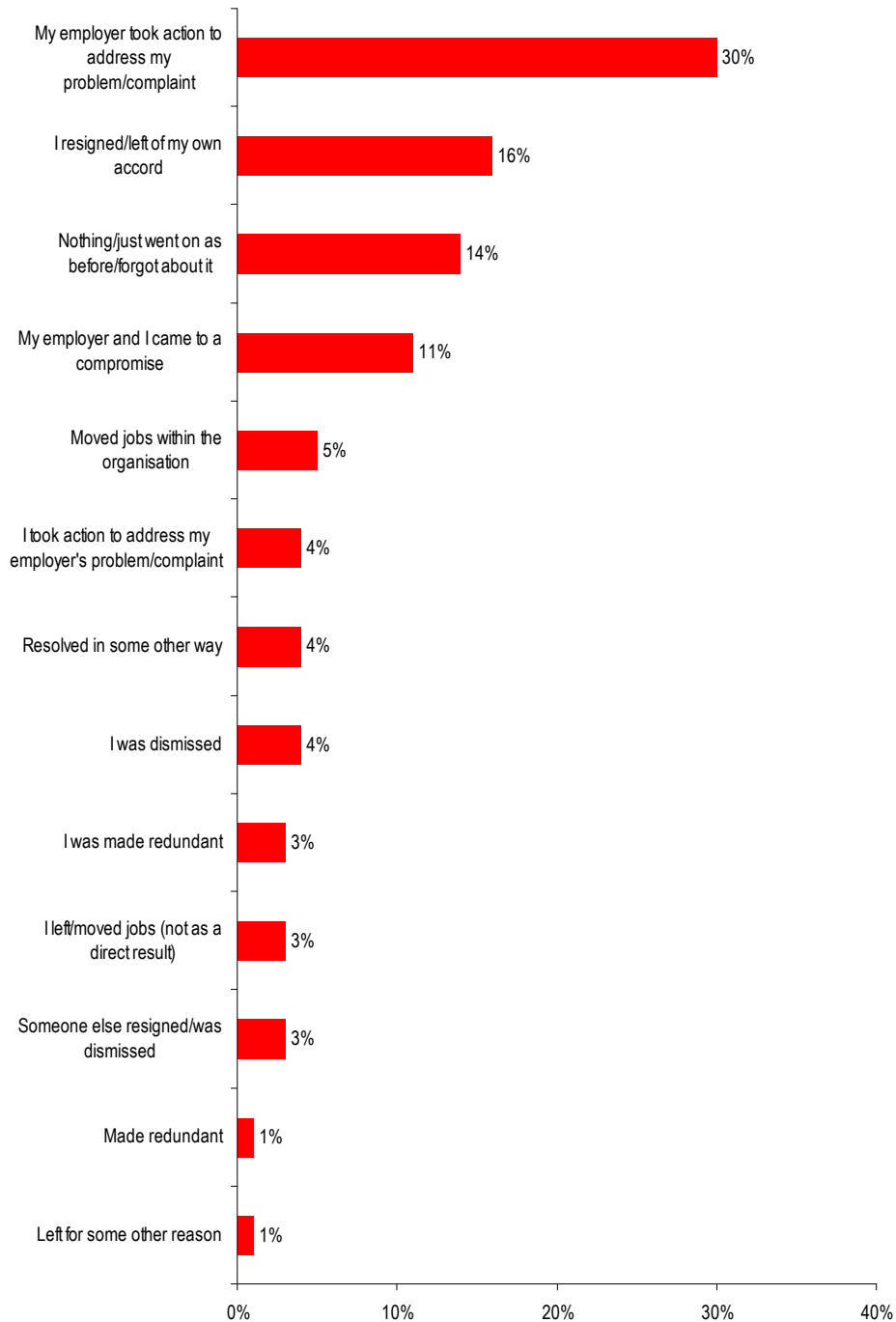
Source: BIS's FTWS 2008

Base: Respondents whose problem is now over or most likely over from Q6.8 (846 weighted, 831 unweighted)

Although it is difficult to compare directly with the English and Welsh Civil and Social Justice Survey findings (see glossary), their research found 25 per cent of those experiencing employment problems had been sacked or made redundant, with a further 8 per cent reporting they resolved their problem by leaving their employer (Pleasence, 2006).

A further breakdown of the eventual outcome of resolved problems is given in Chart 10.5. On a single reason the most frequent given were ‘their employer took action to address the problem’ (30 per cent), ‘they resigned or left of their own accord’ as a result of the problem (16 per cent, a sub reason of how they left their employer), ‘nothing happened or went on as before’ (14 per cent) and ‘they and their employer came to a compromise’ (11 per cent). Against similar results from the 2005 Employment Rights at Work Survey (ERWS) little has changed in the pattern of reasons.

Chart 10.5 Final outcome of most serious problem



Source: BIS's FTWS 2008

Base: Respondents whose problem is now over or most likely over from Q6.35b. Q6.35c (846 weighted, 831 unweighted)

In an attempt to distinguish between 'positive' and 'negative' outcomes in the way a problem was resolved, the categories in Chart 10.5 were classed as follows:

Chart 10.6 Resolution outcome of the most serious problem

Positive	Negative
My employer took action to address my problem	I resign/left of my own accord
My employer and I came to a compromise	Nothing/just went on as before/forgot about it
Moved jobs within the organisation	I was dismissed
I took action to address my employer's problem	I was made redundant
I left/moved jobs (not as a direct result)	Someone else resigned/was dismissed
Resolved in some other way	Left for some other reason (as a direct result)

Source: BIS's FTWS 2008
 Note: Answer categories from Q6.35b, Q6.35c

While the classification in Chart 10.6 may in certain instances be a mismatch or simplistic interpretation of the conclusion of a complex problem, it should indicate on the whole whether a positive or negative outcome was achieved in resolving the problem. On this basis, 52 per cent of the problems had a positive outcome and 47 per cent a negative one (1 per cent did not know). We now examine how different national, workplace, job and individual characteristics relate to each position in Table B10.2. As noted in Section 10.2, the workplace and job and even individual characteristics may have changed since the problems occurred, this caveat should be borne in mind when considering the table and the key bivariate differences are as follows:

National and workplace characteristics, certain 'corporate resources' appear with public sector (62 per cent), banking, finance and insurance (57 per cent), larger organisations (62 per cent with 500 or more employees), those with trade union recognition (67 per cent), an HR department (60 per cent) or an equal opportunities policy (58 per cent) are more likely to have positive outcomes to problems compared to those workplaces without these characteristics.

Job characteristics, certain measures of social economic status come out strongly showing a more positive outcome for higher occupations (59 per cent for intermediate occupations), higher earnings (67 per cent for earnings over £40k+), trade union members (70 per cent), those with just one job (57 per cent), longer job service (80 per cent for those in a job more than 15 years) and those with equal opportunities training (60 per cent).

Individual characteristics, younger workers (47 per cent for 16 – 24 year olds) were less likely to have positive outcomes than older workers (59 per cent for those 50 and over). Also those with problems with specific employment rights (51 per cent) were more likely to have a positive outcome compared with unfair treatment (44 per cent), discrimination (41 per cent), bullying / harassment (47 per cent) or sexual harassment (35 per cent). While these results weren't always significant due to small sample sizes in certain cases, this perhaps indicates the added difficulty of resolving these problems compared with specific employment rights in a 'positive' manner.

Additional characteristics are added to the bivariate analysis in Table B10.2. These are a range of variables to define the *advice sought* and the main *actions taken*. This shows when no information or advice is sought (41 per cent) or no action taken²⁸ (36 per cent) much lower positive outcomes compared with when any advice (about 60 per cent) or action (about 55 per cent) is taken. Employment tribunals applications (30 per cent), advice from a solicitor (44 per cent), CAB (36 per cent) or ACAS (49 per cent) also suggested lower positive outcomes compared with other sources and actions and this is more likely to be explained by the severity of the problem and this is more likely to lead to the respondent leaving their employer.

We progress from the bivariate to the multivariate in Table B10.3 to analyse what characteristics relate to a positive outcome when other characteristics are controlled for. In the multivariate analysis of Chapters 7 and 8, only those respondents whose problem was with their current or most recent employer were included. This was to control for the issue of a mismatch between characteristics and the problem, since these characteristics may have changed from when the problem arose. Like the multivariate analysis in Chapter 9, we are unable to control for this due to limitations in the data on whether the most serious problem was with a current/recent or previous employer. See section 2.4 for a more in depth interpretation of the outputs in Table B10.3 and Table B10.4; and a description of the regression method used.

We find in models on national and workplace characteristics (Model 1) certain 'corporate resources' (i.e. trade union recognition, HR/ personnel facilities and equal opportunities policy) were significant and increased the chance of a positive outcome. On job characteristics (Model 2) those with equal opportunities training and longer job service are more likely to have more positive outcomes. Individual characteristics (Model 3) show no personal attributes are significant, apart from the combined knowledge score and sufficiency of knowledge variable (see section 7.2 for details on its construction) where those who felt they needed to know more about their rights, 'don't know enough', were more likely to find a positive outcome to their problem.

A new variable is included in individual characteristics on whether the respondent felt they might be victimised or treated unfairly if they made a formal complaint at work. This follows from the discussion in Section 7.5 where those with any problem at work in the last 5 years were more likely to feel this way. The variable is introduced in the multivariate analysis through out Chapter 10 and 11 to test whether this feeling has an impact on the resolution of a problem. This variable, however, is not significant here.

Additional characteristics are added to the multivariate analysis in Model 3. These are a range of variables to define the *problem experienced*, the *advice sought*, the main *actions taken* and two *other* variables on; whether the

28 No action taken in terms of (1) tried to resolve the problem informally, (2) put concerns about the issue that led to the problem in writing to your employer, (3) discussed the issue that led to the problem with their employer, either face-to-face or by telephone, (4) went to a formal meeting where you and a manager or senior person at the place where you worked sat down together to discuss the issue that led to the problem and (5) made an application to an Employment Tribunal (ET).

respondent felt they would have benefited from more help or support in trying to resolve the problem and whether there was anything about the way in which they handled the situation that they wish they had done differently. Within these characteristics, seeking advice from a manager, union representative at work, friend (with or without specialist knowledge) or colleague, and having a discussion with your employer or putting the concerns in writing were all more likely to lead to a positive outcome to the problem. While making an application to an employment tribunal and those who felt they would have benefitted from more help and support were less likely to reach a positive outcome.

Final model. This brings together variables from the previous models described. The significant variables from the earlier models which do not appear in Model 4 are the workplace characteristics (trade union recognition and personnel / HR department); equal opportunities training, awareness and knowledge of rights, whether consulted a friend or colleague and put the concern in writing. The ones that remain are:

- **Equal opportunities policy**, respondents in workplaces with this policy are more than twice as likely to reach a positive outcome to their problem as those in workplaces without one.
- **Length of service**, there is a positive correlation between a positive outcome and job tenure. For example, those with 15 or more years of service with their employer are ten times more likely to reach a positive resolution compared with those with job tenure of up to a year. This is of course a direct consequence of how our positive/ negative outcome indicator is constructed. Those who leave their employer (negative outcome) may start with another employer and therefore their job service returns to zero.
- **Advice from Manager or trade union representative at work**, those who sought advice from a manager or trade union representative at work were more likely to find a positive outcome to their problem, with those consulting a manager twice as likely to reach a positive outcome compared with those who didn't and almost twice as likely when consulting a union representative than those who didn't.
- **Discussed with employer**, those who discussed the issue that led to the problem with their employer, either face-to-face or by telephone were about 80 per cent more likely to reach a successful outcome than those who didn't.
- **Application to an employment tribunal**, those who made an application to a tribunal were about 25 per cent less likely to resolve their problem in positive way. Some caution should be taken with this result as it is based on small sample size, but this is likely to be a consequence of the severity of the problems leading to this action, and as a result most respondents would leave their employer.
- **Benefitted from more help and support**, those who had all the help and support they needed to deal with the problem were more than three times as likely to reach a positive conclusion to their problem as those who didn't.

We explore some possible explanations for these results below, but first it is possible to make some limited comparison with the results of multivariate analysis on the previous 2005 ERWS.

There are differences in both the dependent and independent variables used to model the outcome of the problem in this survey and the previous ERWS so great care needs to be taken in interpreting any comparison. In 2005, four variables were significant in the multivariate analysis. The odds of a respondent whose problem was 'now over' or 'most likely over' had been satisfactory resolved were increased by being a trade union or staff association member, being more aware their rights and discussing the problem with their employer face to face. The odds of the problem being satisfactory resolved were decreased when advice was sought from CAB compared with those who didn't.

The overlap between the results of the present and previous survey is therefore limited to just a discussion with their employer. A key factor in the difference between the results is sample size; in 2005 only 259 cases were available to run the regression on while in 2008 we were able to use 731. In addition, significant variables in 2008 like equal opportunities policy were not available in 2005, and these are shown to have a stronger relationship to problems with positive outcomes by this survey than variables like awareness and knowledge of rights which appeared in an earlier model but not the final one.

Equal opportunities policy

Workplaces with a written equal opportunities policy featured quite regularly in the multivariate analysis of Chapter 3 and 4, its presence in the workplace was associated with greater general awareness and more confidence about knowing where to find information about their rights. It also appeared in Chapter 8, where respondents were more likely to report less unfair treatment or discrimination than those in workplaces without it. A possible reason given for these results were a written equal opportunities policy represented high trust relations between employer and employee and therefore greater confidence in the employee that their rights were taken care of and supported. With the result workplaces with this policy are more likely to produce better outcomes to problems, this extends the reasoning that these workplaces are also better positioned to deal with emerging problems as well due to the good relations that already exist between employer and employee.

Sought advice from a manager at work / trade union rep at work

A plausible explanation for these results is discussed in Section 11.1 on the type of advice and information sought.

Discussed with employer / made an application to an employment tribunal

A plausible explanation for these results is discussed in Section 11.2 on the type of further action taken on the problem.

Benefitted from more help and support

A plausible explanation for these results is discussed in Section 11.4 on the lessons learnt.

10.4 Summary

Current status of the most serious problem

- About two thirds of those who had a most serious problem stated this was 'now over' or 'most likely over' at the time of the survey. Similar results were found in 2005.
- There were differences in results by problem type with fewer problems 'now over' or 'most likely over' when this involves unfair treatment or discrimination, but this result was not significant.

Average time taken to resolve problems

- About 8 months is the mean time taken to resolve a problem, which is a slight increase from 6 months found in the 2005 Employment Rights at Work Survey (ERWS). The median time taken is 3 months because the distribution is skewed heavily by a minority of problems taking longer to resolve.
- There are again some differences between problem types, with discrimination, bullying/ harassment and an employer not following a set disciplinary (complaint) procedure taking longer to resolve and many of the problems specific to employment rights take shorter.
- Differences amongst a range of workplace, job and individual characteristics are also present with those with a disability or long standing illness and trade union members with problems taking longer to resolve, whilst a range of other characteristics (i.e. 16 – 24 year olds, non-permanent workers) all taking less time than average to resolve their problems.
- Problems where external advice (i.e. trade unions, ACAS) is sought or more formal action taken to resolve the problem (i.e. formal meeting, employment tribunal application) take slightly longer to resolve than those that don't, but this is not a statistically significant.

Eventual outcome

- A significant number of respondents (18 per cent) leave their employer as a direct result of a problem or 24 per cent of those with resolved problems.
- Constructing a broad indicator of positive and negative outcomes to a resolved problem we find a workplace with a written equal opportunities policy are **more** likely to reach a positive outcome, also those who sought advice from a manager or trade union representative at work or discussed the problem with their employer. Those who made employment tribunal application and those who also felt they would have benefitted from more help and support were **less** likely to reach a positive outcome.

11 How are the most serious problems resolved?

We now look in more depth at the information, advice and further actions survey respondents took to try and resolve their most serious problem. As discussed in Chapter 2, the employment rights framework places with the individual the responsibility of once knowing their rights and the support available to take the right action to demand and achieve their right when a problem at work arises. This chapter considers this action in three stages:

- What advice and information is sought and how much do they contribute to resolving the problem (Section 11.1)
- What further actions or methods of resolution are taken and how much do they contribute to resolving the problem (11.2)
- Presents bivariate and multivariate analysis to compare those who took some form of action on their problem compared with those who didn't (11.3)
- What lessons were learnt and would they have done anything differently in resolving the problem (11.4).

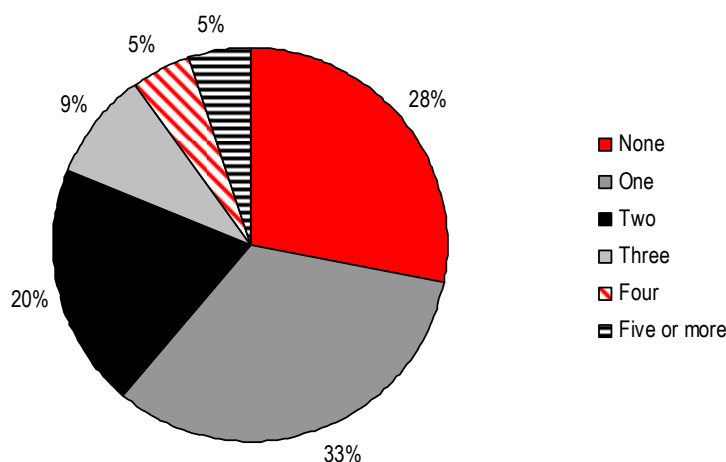
11.1 The type of information or advice sought

Respondents were asked of their most serious problem:

Did you try to get advice or information to help you resolve this problem from any of these sources? (Q6.10)

As Chart 11.1 shows 72 per cent sought some kind of information or advice for their most serious problem, of these 46 per cent contacted a single source for information while the rest contacted more than one source.

Chart 11.1 Number of sources of information or advice consulted about the most serious problem



Source: BIS's FTWS 2008

Base: All respondents that have had a most serious problem from Q6.10 (weighted=1313; unweighted=1300)

On a comparable set of problems, this shows a significant increase between surveys of respondents seeking advice or support for their problem from 53 per cent in the 2005 Employment Rights at Work Survey (ERWS) to 72 per cent in 2008 and provides further confidence that individuals are taking responsibility for finding out whether their rights are being infringed.

The majority (59 per cent) chose to seek this advice or information straightaway, while 23 per cent sought it within a month of the problem starting, 12 per cent within 6 months and just 5 per cent any time later. Survey respondents were also asked whether anyone acting on their behalf tried to get advice or information to help them resolve their problem and 21 per cent had. This course of action was preferred in the public sector (29 per cent) and with trade union or staff association members (31 per cent). This was also more prevalent amongst those whose problems involved bullying/ harassment in the workplace (30 per cent).

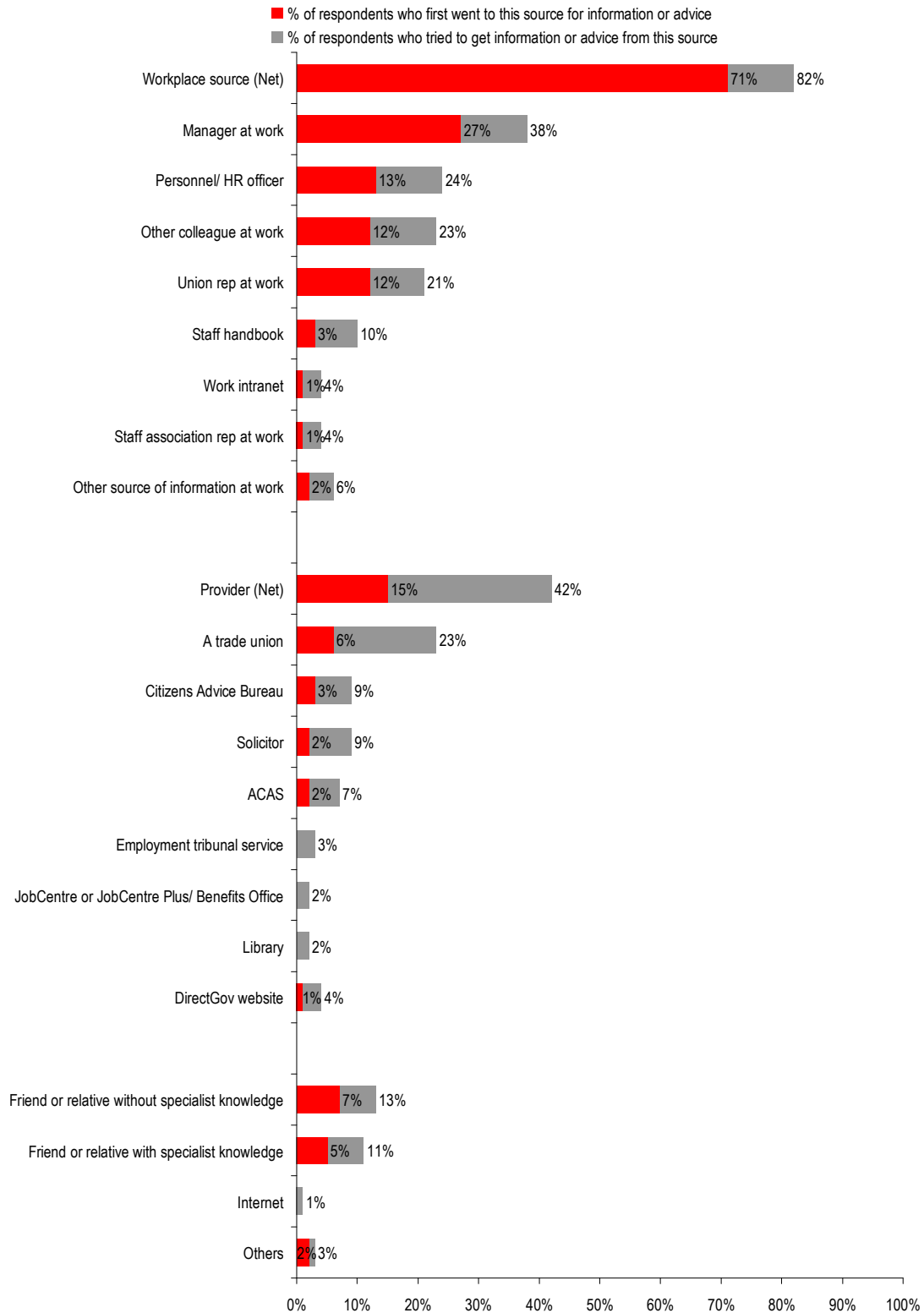
We now examine survey respondents' journey around who they contacted, from where they went first, how well they assessed the source that served them, where they went subsequently and what source served them best overall. Chart 11.2 shows the majority (82 per cent) chose at some point to contact a workplace source compared with a provider (42 per cent). Other sources like friends and relatives with or without specialist knowledge were also favoured by between 11 and 13 per cent of respondents. An internet search (1 per cent) and any other source (3 per cent) were less common points of contact for those who sought information and advice.

In terms of specific workplace sources, a manager at work (38 per cent) followed by a personnel/HR officer (24 per cent), another colleague at work (23 per cent), a trade union representative at work (21 per cent) and a staff handbook (10 per cent) were more common than others. In comparison the most favoured sources of contact overall for providers were a trade union (23 per cent), CAB or solicitor (both 9 per cent) and ACAS (7 per cent).

Chart 11.2 also shows what percentage made each source their first point of contact. By this measure workplace sources (71 per cent) are favoured by far over providers (15 per cent) or any other sources as a first point of contact with the same order of popularity for individual sources as above.

The difference between the percentage who sought first contact and all contacts with each source show the percentage of subsequent contacts with each source. On this basis, providers become more common as a subsequent contact. In fact a trade union is the most common single source for subsequent contact followed by a number of workplace sources like a manager at work, personnel /HR and other colleague at work. It is worth noting the library, a job centre, the employment tribunal service and the internet were only chosen as subsequent contacts.

Chart 11.2 Sources of advice or information



Source: BIS's FTWS 2008

Base: Respondents who have had a problem at work and contacted an advisor from Q6.10 and Q6.14 (weighted=942, unweighted=926)

It is interesting to contrast these results with those from Section 4.3 (Chart 4.3) where all survey respondents were asked who or where they would contact first to get information about their rights at work. In that instance, while workplace sources were also favoured by the majority (51 per cent) a much larger number (33 per cent) mentioned a provider. Further only a small proportion chose either a colleague at work or friend with or without specialist knowledge compared with those who encountered a problem and sought advice. The CAB were more common as a first point of call for all survey respondents (13 per cent) than for those who encountered a problem (3 per cent) and a trade union and some workplace sources (i.e. other colleague at work, staff handbook etc.) were less common as alternative sources than for those who encountered a problem.

It is more difficult to compare these results in detail with the 2005 ERWS as a number of new sources were included this time with a different set of routed questions. Despite this, there appears to be little difference between the results from the two surveys in terms of the pattern of sources chosen.

Across nearly all workplace, job and individual characteristics a manager at work (27 per cent) was the most common first point of contact for information or advice on a respondent's problem. The only exception was trade union members who instead preferred a union representative at work (30 per cent). Non-members were more likely to seek information or advice from another colleague at work (15 per cent), a friend with (5 per cent) or without specialist knowledge (9 per cent) compared with members (6, 2 and 2 per cent respectively). External provider like ACAS (4 per cent), CAB (4 per cent) or a solicitor (4 per cent) were also more common amongst non-members compared with members (1 per cent). Saying this, of those who did make first contact with a union representative at work or trade union 75 per cent were trade union or staff association members while the other 25 per cent were not, similar to results found in section 4.3.

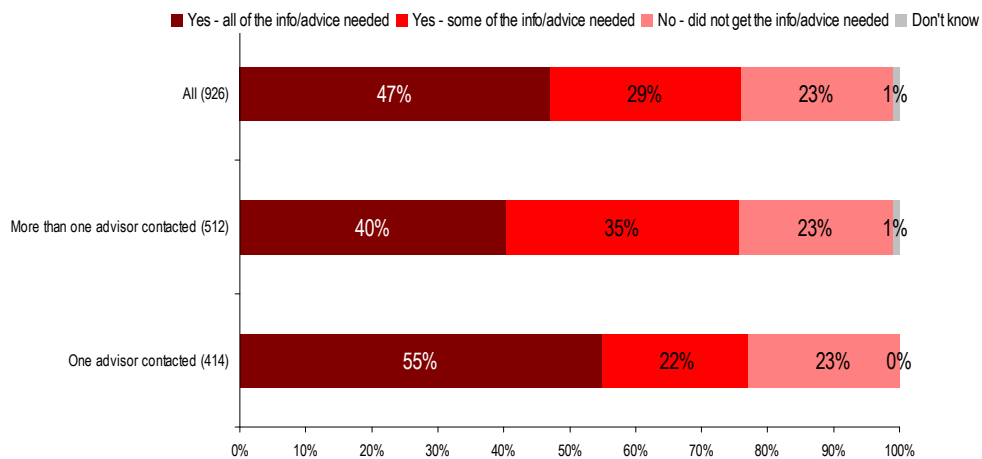
Other significant differences were older workers (40+) also preferred to contact a union representative at work or trade union (25 per cent) compared with younger workers (10 per cent). This also applied to those with longer job service than those with shorter service. In particular those in the 16 – 24 age range preferred to first contact a friend or relative without specialist knowledge (17 per cent) compared with other ages (5 per cent). Those with a disability or long standing illness were also more likely to contact a trade union (10 per cent) compared with those without such a condition (5 per cent). Those without an HR department were also more likely to turn to a friend without specialist knowledge (14 per cent) or the CAB (7 per cent) than those with an HR function at their workplace (5 per cent and 2 per cent respectively).

We now move to look at how satisfied respondents were with their chosen first source of contact. From Chart 11.3, 76 per cent overall found all or some of the information and advice they needed from the first source they contacted. Interestingly on workplace, job and individual characteristics 16 – 24 year olds are more likely (87 per cent) to get all or some of the information they needed compared with older workers (75 per cent).

In 2005, 86 per cent of those who sought advice or information for their problem got all or some of what they needed. This means there was a slight fall in 2008, but then more people are seeking this now than before. Similarly, 47 per cent who found all they needed from their first source went on to get additional information or advice (compared with 59 per cent in 2005), 66 per cent who found some of what they needed sought additional information (compared with 75 per cent in 2005) and 55 per cent who did not find what they needed sought additional information.

Of those who contacted only one source they were slightly happier with 55 per cent finding all the information they needed while only 40 per cent found this who contacted more than one source.

Chart 11.3 Able to get advice/information from first source by number of advisors



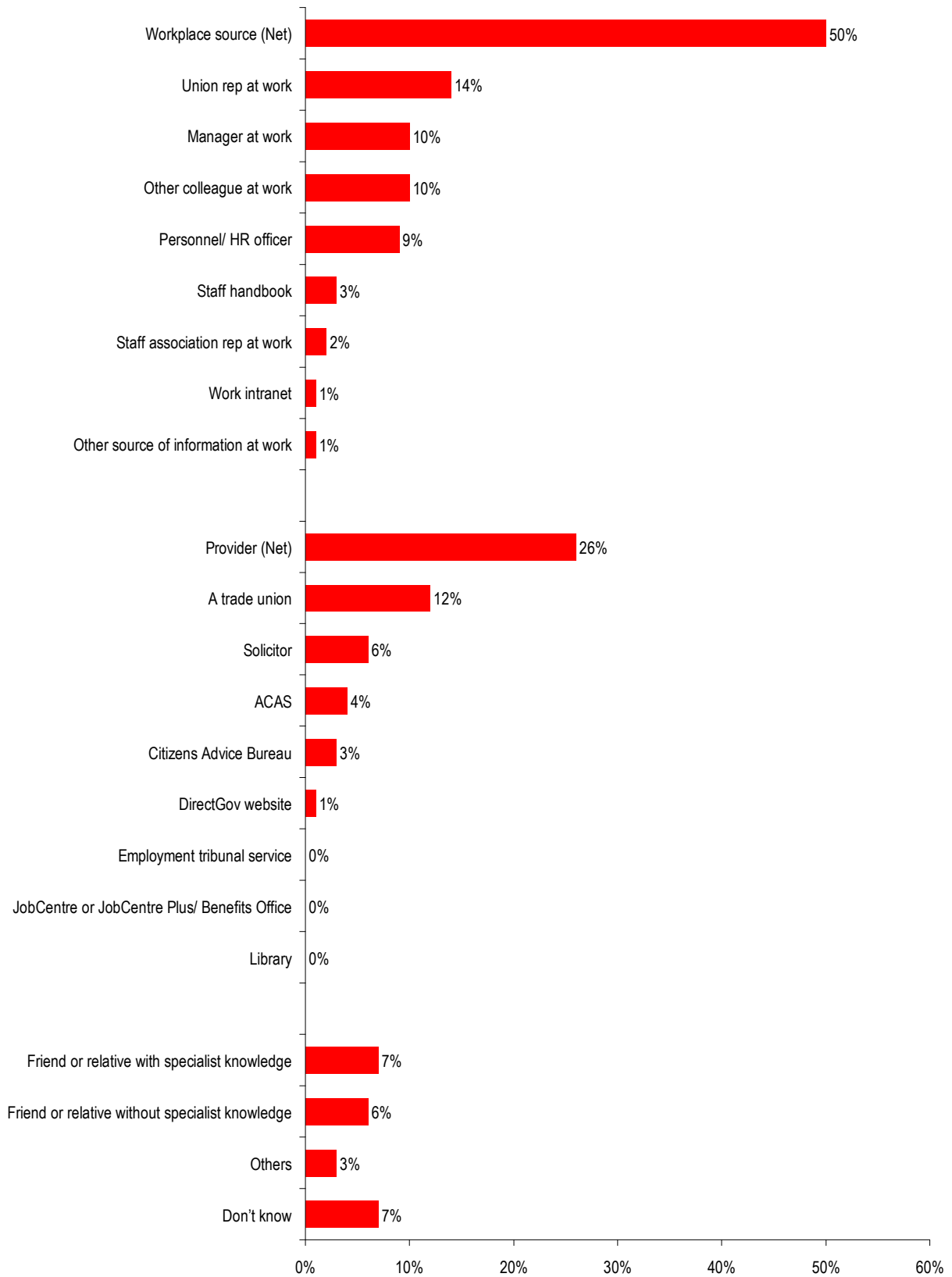
Source: BIS's FTWS 2008

Base: Respondents who have had a problem at work and contacted an advisor from Q6.18 (unweighted bases for each shown in brackets)

Chart 11.4 looks at what those who sought information or advice for their problem from more than one source then thought was the most helpful source overall. In looking at this chart it is worth making some comparison with Chart 11.2 on who all respondents subsequently contacted subsequently. This shows although fewer respondents subsequently contacted a trade union representative at work compared with a manager at work, personnel /HR officer or other colleague at work for those who contacted more than one source they were found to be the most helpful. The opposite is true but less significantly for CAB.

It is worth noting 7 per cent of those who contacted more than one source stated they didn't know what the most helpful source was, and for those who didn't get the information or advice they needed from their first source (Chart 11.3) this rose to 19 per cent. This could indicate either uncertainty around whether they got the information or advice they required in the end or difficulty with judging which source was the best overall.

Chart 11.4 Most helpful source of information, among those who went to more than one source

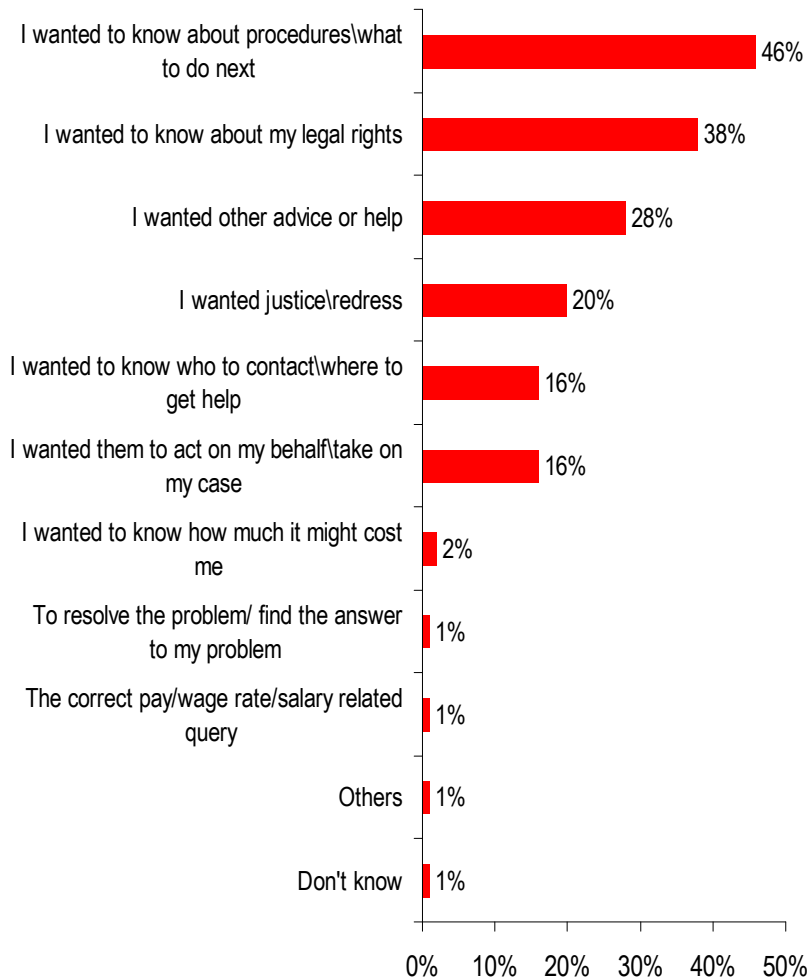


Source: BERR's FTWS 2008 Q6.20c

Base: All respondents who contacted more than one source to resolve their most serious problem (weighted=517, unweighted=514)

In terms of what respondents were looking for when trying to get information and advice from the first source they contacted, Chart 11.5 showed the main goals. A similar question was asked in the 2005 ERWS and these results show little change from the response then, 'I wanted to know about procedures\ what to do next' (46 per cent) came top followed by 'I wanted to know about my legal rights' (38 per cent). The only slight change is an increase in those who stated 'I wanted other advice or help' (28 per cent) from a first contact (up from 18 per cent in the 2005 ERWS).

Chart 11.5 What respondents were looking for when trying to get advice/information from their first source



Source: BIS's FTWS 2008
 Base: All respondents that have had a most serious problem at work and contacted an advisor from Q6.16 (weighted = 937; unweighted = 920)

The prime reason by any workplace, job or individual characteristic was to know about procedure or what to do next when in contact with a first source. There were some differences by age, older workers gave the reason 'I wanted them to act on my behalf or take on my case' than younger workers, while younger workers were more likely to give the reason that they wanted to know who to contact or where to get help. This follows from an earlier result that older workers were more likely to contact a trade union; likewise those with a disability or long standing illness, public sector workers and trade union members were all more likely to give this reason than those who weren't. Those without an HR department were more likely to give the reason they

wanted to know more about their legal rights than those with a HR department at work. Those with no qualifications were also more likely to give the reason they contacted their first source was to know who to contact and where to get help suggesting an element of vulnerability compared with those with qualifications.

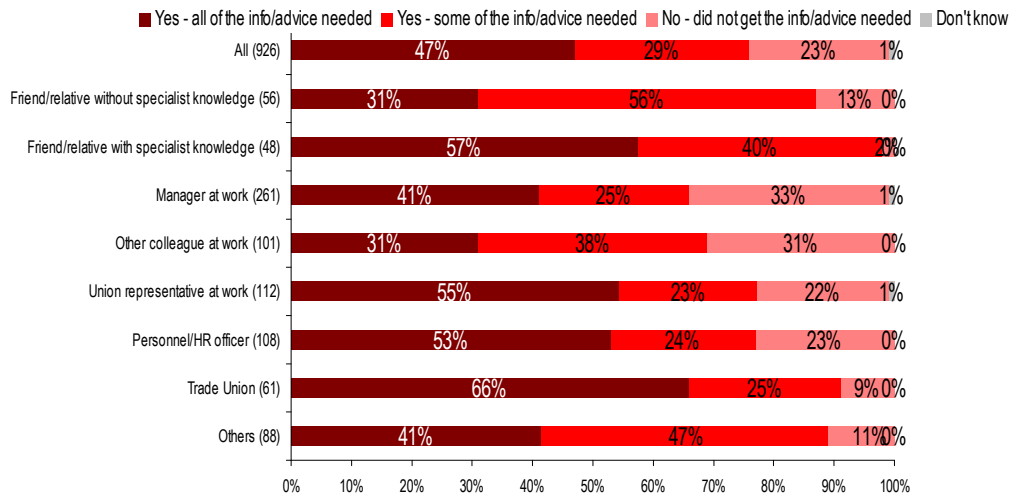
Across the main workplace sources, the most common reason for contacting that source first was again to know about procedures or what to do next. The main exception was those who contacted a union representative or staff association at work. Here, looking to know about their legal rights (65 per cent), wanting them to act on your behalf or take on your case (51 per cent) and know about procedure or what to next (51 per cent) was the order of the reasons. Wanted justice or redress (34 per cent) was also a more likely reason to contact a union representative compared with others. The same was true for a trade union outside work. In contacting a colleague at work, respondents were more likely to want other advice or help (58 per cent) than to know what to do next and less likely to be looking to know about their legal rights (33 per cent) compared with those contacting other sources.

For those seeking advice from a personnel/ HR officer, respondents were more likely to be looking to know about their legal rights (47 per cent) and less likely to want them to act on their behalf or take on their case (10 per cent) compared with those who contacted other sources. In contacting a manager, respondents were less likely to be looking to know about their legal rights (16 per cent) and more likely to want them to act on their behalf or take on their case (23 per cent) compared with those who contacted other sources.

The majority of respondents (26 per cent) chose their first source because they offer good advice or information, this was followed by reasons such as they are trusted (20 per cent), didn't know where else to go (14 per cent), they had a good reputation, settle disputes or understand my point of view (13 per cent in each case). The issue of trust was much more important for younger workers up to age 33 (28 per cent) compared with older workers (16 per cent). Workers in the 16 – 24 age category were also more likely to say they didn't know where else to go (24 per cent) compared with older workers (12 per cent). Those with a disability or long standing illness were more likely to say it was the only organisation they knew about and less likely to say they understand my point of view than those without such conditions. Other characteristics where the reason 'they didn't know where else to go' was more likely to be given was non-managers, low paid, lower skilled, with low qualifications and non trade union or staff association members compared with those without such characteristics.

On a limited set of workplace sources, we are able to look at how well individual sources met the information or advice requirement of respondents for their problem. Chart 11.6 shows the most successful sources for supplying all the information or advice needed were a trade union (66 per cent), a friend/relative with specialist knowledge (57 per cent), a union representative at work (55 per cent) and a personnel/HR officer (53 per cent). The less successful when the respondent did not get the information or advice they needed were manager at work (33 per cent) and other colleague at work (31 per cent).

Chart 11.6 Able to get advice/information from first source by type of source



Source: BIS's FTWS 2008

Base: Respondents who have had a problem at work and contacted each advisor from Q6.18 (cases with base of 40+) (unweighted bases for each shown in brackets)

From what has been presented in this section, it is appropriate to return and explore plausible explanations for the results in Section 10.3 on seeking advice from a manager or trade union representative at work and their relationship with the outcome of the problem.

Sought advice from a manager at work

In section 10.3, we found seeking information or advice from a manager improved the odds of reaching a positive outcome to the most serious problem. Within this section, we know seeking information or advice from a manager was top place as a first point of contact and stayed joint second with three others as a subsequent contact. We also know while most respondents stated the reason for contacting a manager was to know about procedure or what to do next, they were also more likely to be contacted to act on the respondents' behalf or take on their case and less likely to be contacted about information on their legal rights compared with other sources contacted. However, a significant 33 per cent of respondents felt they did not get the information or advice they needed from them as a first contact, and this compared poorly with other sources.

This seems to show, while a manager at work is first and foremost the most obvious place to seek advice or information on a work-related problem, there is clearly a burden of expectation on them to resolve the problem completely. On occasions where for whatever reasons they fall short of this expectation it may be then left to a third party like a trade union to get involved. Additionally seeking advice from a manager at work may be a function of a more proactive employee and/ or more approachable manager, enabling a better resolution to a problem. Nevertheless, it is difficult to come to an outright conclusion about this relationship. The steps and casual links between how an employer and employee come to an agreeable resolution of a problem is beyond a cross sectional survey such as this.

Sought advice from a trade union representative at work

We also found seeking information or advice from a trade union representative at work improved the odds of reaching a positive outcome to the most serious problem. Within this section, we were able to gather more evidence on how many respondents chose to contact a trade union representative, what they were looking for in doing this and how useful they felt this was in resolving their problems.

A trade union representative at work was joint third most common as first point of contact and fifth most common as a subsequent contact. We also know the most common reasons for contacting them was to know about legal rights, for them to act on the respondent's behalf or take on their case and to know about procedure or what to do next, also wanting justice or redress was a more likely reason to contact this source compared with others. A trade union representative was also one of the more successful sources of advice with 78 per cent stating they got all or some of the information or advice they needed and most helpful source overall for those who contacted more than one.

Clearly while not as common a point of contact as a manager, there is clearly a role for trade unions to arbitrate between employer and employee when an impasse on a problem is reached, and this type of resource is needed to take the problem any further. It may again also be a function of a more proactive employee trying to deal with their problem rather than let it continue. It is also worth speculating why this type of union is more significant compared with one outside the workplace, and some of the reasons would seem obvious that a union inside the workplace has better knowledge of the organisation and access to management, so they can provide more effective advice and information.

11.2 Further action taken

This section looks beyond the information and advice sought and investigates the type of action taken by the respondent, or those acting on their behalf, to resolve their most serious problem. Respondents with a problem were asked whether they had taken any of five specific actions such as;

- tried to resolve the problem informally,
- put concerns about the issue that led to the problem in writing to your employer (i.e. email, fax or letter),
- discussed the issue that led to the problem with their employer, either face-to-face or by telephone,
- went to a formal meeting where you and a manager or senior person at the place where you worked sat down together to discuss the issue that led to the problem,
- and made an application to an Employment Tribunal (ET).

The most common action was to discuss the issue with their employer (66 per cent) and the least common was making an application to an ET (3 per cent). The other actions in rank order were as follows; tried to resolve informally (52 per cent), have a formal meeting (33 per cent) and put the issue in writing (29 per cent).

Further analysis on workplace, job and individual characteristics shows younger workers (16 -24), non-trade union members, those with no qualifications and in a routine or manual occupation were all less likely to attempt to resolve their problems through any of these actions excluding ET (78 per cent with one of these characteristics versus 89 per cent with none). The low paid, those with shorter job service, without HR facilities or equal opportunities training were less likely to try to discuss the problem with their employer or go to a formal meeting (68 per cent with one of these characteristics versus 78 per cent with none).

BME groups were less likely to try to discuss the problem with their employer or try to resolve it informally (62 per cent versus 77 per cent who were not BME). Non-UK born respondents were less likely to try to put their problem in writing to their employer or try to resolve the problem informally (46 per cent versus 67 per cent who were UK born). Those working in the private sector and non-managers were less likely to try putting the problem in writing or discuss the problem with their employer.

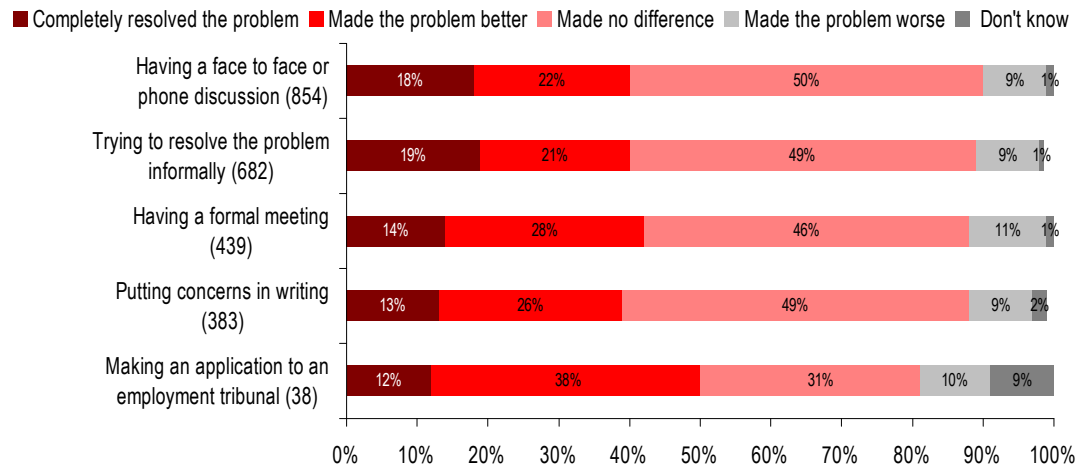
Those with a problem that involved bullying were more likely to try and resolve the problem informally or go to a formal meeting (79 per cent versus 64 per cent with other problems). While respondents with problems that involved sexual harassment were less likely to attempt to put the problem in writing, go to a formal meeting or discuss the problem with their employer (55 per versus 74 per cent with other problems). Those with a disability or long standing illness were more likely to try a formal meeting (40 per cent versus 32 per cent who do not), while those working part-time were less likely (27 per cent compared with 35 per cent working full-time). Those with children in the household were more likely to put their problem in writing (33 per cent versus 27 per cent without children).

In terms of reasons why respondents did not try to resolve the problem informally with their employer, the main reasons given were; they didn't think it would resolve the problem (24 per cent), it was not worth the hassle / aggravation (19 per cent), employer wasn't willing to sort it out (15 per cent), did not think it was appropriate for this problem (15 per cent) and not confident I would be listened to (12 per cent). A similar set of results was given for why they chose not to put their concerns in writing to their employer.

For those who did not try to resolve the problem through a discussion with their employer, 36 per cent had wanted this to happen and gave a similar pattern of reasons above as to why this didn't happen. 16 per cent of those who didn't have a formal meeting with their employer had wanted one and 8 per cent of those who didn't make an employment tribunal application had considered it.

For respondents who went ahead with one or more of the five actions, Chart 11.7 breaks down how helpful the respondent felt the action was to resolving their problem. In all of the actions, apart from making an application to an employment tribunal, the majority of respondents said this action made no difference to the resolution of their problem. While the chart suggests about half of those who made an application to an employment tribunal felt this action actually made the problem better or completely resolved it.

Chart 11.7 Whether action taken resolved the problem



Source: BIS's FTWS 2008
 Base: All respondents taking each action from Q6.21/Q6.22 (unweighted bases shown in brackets)

Only 14 per cent of those with a problem took any action in addition to what has already been described. Mainly this action involved an HR professional or line manager (23 per cent), a union or union representative (17 per cent) or talked to the perpetrator (11 per cent). There were no significant differences by each of these actions. Similar to before, younger workers (16 -24), non-trade union members, those with no qualifications and in a routine or manual occupation were all less likely to take any additional action (12 per cent with one of these characteristics versus 27 per cent with none).

Those with a disability or long standing illness were more likely to take further action (20 per cent versus 13 per cent for those without such a condition) and those with children in the household (18 per cent versus 12 per cent in those without). Non-UK born were less likely to take further action (8 per cent versus 15 per cent for UK born), as well as the low paid and those with a shorter job service. Those with a problem involving bullying or sexual harassment were more likely to take further action (30 and 28 per cent respectively).

As might be expected there was considerable overlap between actions taken to try and resolve the problem, with a significant proportion of respondents taking more than one action. As Chart 11.8 shows, with almost two in three respondents with a most serious problem taking more than one action to resolve the problem. Over three quarters of respondents who took action to resolve their problem did so in more than one way.

Chart 11.8 Overlaps between different actions taken to resolve the problem*

	Per cent
% who took none of these actions	19
% who took one of these actions	18
% who took two of these actions	28
% who took three of these actions	22
% who took four of these actions	11
% who took five of these actions	3
% who took six of these actions	-

Note: *=6 actions defined as of (1) tried to resolve the problem informally, (2) put concerns about the issue that led to the problem in writing to your employer, (3) discussed the issue that led to the problem with their employer, either face-to-face or by telephone, (4) went to a formal meeting where you and a manager or senior person at the place where you worked sat down together to discuss the issue that led to the problem, (5) made an application to an Employment Tribunal (ET) or (6) took other steps to resolve the problem. '-' =less than 0.5%

Source: BIS's FTWS 2008

Base: All respondents that have had a most serious problem from Q6.21 and Q6.33 (weighted=1313; unweighted=1300)

The introduction of new or amended questions from the 2005 survey and different routing make comparisons between surveys on the patterns of action difficult and in places impossible. In terms of whether the proportion taking any action overall has changed since 2005, there does not appear to be much difference.

Chart 11.9 shows the most common type of multiple action taken by respondents who experienced a most serious problem. The chart shows combinations reported by at least 4 per cent of respondents. The most common combination was discussed with employer and tried to resolve informally (22 per cent), and the range of other combinations with discussed with an employer made up a further 54 per cent.

Chart 11.9 Combinations of actions taken to resolve the problem

	Per cent
Discussed with employer and tried to resolve informally	22
Discussed with employer	9
Tried to resolve informally	7
Discussed with employer, tried to resolve informally and went to a formal meeting	7
Discussed with employer, tried to resolve informally, put concerns in writing and went to a formal meeting	7
Discussed with employer, tried to resolve informally and put concerns in writing	6
Discussed with employer, put concerns in writing and went to a formal meeting	6
Put concerns in writing and went to a formal meeting	5
Discussed with employer, tried to resolve informally and took other steps	4
Other combinations with Discussed with employer	15
Other combinations without Discussed with employer	12

Source: BIS's FTWS 2008

Base: All respondents that have had a most serious problem and sought action to resolve it from Q6.21 and Q6.33 (weighted=1049)

From what has been discovered in this section, it is appropriate to again return and explore plausible explanations for the results in Section 10.3 on what relationship a discussion with an employer or an application made to an employment tribunal had on a positive outcome to a problem.

Discussed with employer

In section 10.3, we found having a discussion with your employer about the problem increased the odds of reaching a positive outcome to the most serious problem. Within this section, we found the majority (66 per cent) took this action and it was by far the most common action to resolve their problem. Respondents were also more likely to take this action if they had sought some kind of advice or information and across the sources of advice respondents had sought the proportions taking this action were similar.

However, almost half of respondents (49 per cent) felt this action made no difference to the problem, and a very similar distribution of responses followed across all four main actions (excluding ET). The best explanation of this was put forward in Section 11.1, like seeking information or advice from a manager this does not guarantee to resolve the problem but it is the most obvious course of action and an indication of a more proactive employee and possibly more approachable employer.

Made an application to an employment tribunal

In section 10.3, we found making an application to an employment tribunal reduced the odds of reaching a positive outcome to the most serious problem. First, it should be borne in mind only 38 respondents, less than 1 per cent of the sample, took their most serious problem to an employment tribunal. Of these 36 weighted cases; 13 were ongoing at the time of the survey, 10 were settled with employer before tribunal hearing (6 with mediation mostly from a solicitor), 5 had a full tribunal hearing and 10 didn't know or had another outcome.

However, results in this section suggest a large proportion of these respondents felt this action improved the problem, yet about 70 per cent of these cases left their employer as a result of the problem. Further the evidence suggested these respondents had exhausted their options before making an application to ET, and this was likely to be the only way to get justice or redress. While the respondent felt this under our construction of a positive or negative outcome this was not the best outcome to the problem.

11.3 Information or advice sought and the action taken

In sections 11.1 and 11.2 we looked separately at the information or advice sought and the action taken to resolve a problem. While we know these steps (i.e. 2 and 3) are important for the four-step employment rights model (Chart 2.2), they need to occur together and preferably one before the other in order to make this model work. We therefore look at the relationship between these two steps to understand whether respondents' behaviour reflects the assumptions in this model.

Chart 11.10 shows 11 per cent of respondents did not seek any form of information, advice or further action for their most serious problem, but this means almost 90 per cent did this. A further 16 per cent took action on their problem without seeking any information or advice and 7 per cent took information or advice without taking any action. This means almost two thirds followed the assumptions of the model and sought information or advice and took action. The survey does not tell us about the timing of these events.

Chart 11.10 Information and advice sought vs. action taken (per cent)

Number of sources sought for information/advice	Number of actions taken*						Total
	None	One	Two	Three	Four	Five or more	
None	11	5	7	4	1	0	28
One	5	8	10	6	2	1	33
Two	1	2	7	6	3	1	20
Three	0	1	2	3	2	1	9
Four	0	0	1	1	1	1	5
Five or more	0	0	1	2	2	1	5
Total	19	18	28	22	11	3	100

Note: *=6 actions defined as of (1) tried to resolve the problem informally, (2) put concerns about the issue that led to the problem in writing to your employer, (3) discussed the issue that led to the problem with their employer, either face-to-face or by telephone, (4) went to a formal meeting where you and a manager or senior person at the place where you worked sat down together to discuss the issue that led to the problem, (5) made an application to an Employment Tribunal (ET) or (6) took other steps to resolve the problem.

May not sum to row and column totals due to rounding

Source: BIS's FTWS 2008

Base: All respondents that have had a most serious problem from Q6.10, Q6.21 and Q6.33 (weighted=1313; unweighted=1300)

For those respondents who had taken no advice or information, they had some of the lowest rates of action. Only 47 per cent tried to discuss the problem with their employer, 40 per cent sought an informal resolution to the problem, 17 per cent sat down to a formal meeting and 10 per cent put the issue in writing. This compares with those who sought information or advice from a manager where 77 per cent, 61 per cent, 34 per cent and 31 per cent respectively took those actions for their problem.

A similar pattern of actions was found for those who had consulted a colleague at work or friend without specialist knowledge, except this resulted in slightly more formal meetings (41 and 44 per cent respectively for each source). For those who took information or advice from a union representative at work a similar proportion discussed the problem with their employer or tried to resolve the problem informally, but more problems resulted in formal

meetings (62 per cent) or concerns were put in writing (59 per cent). The same pattern was true for those who consulted a trade union or a friend with specialist knowledge. Consultation of a personnel/ HR officer sat somewhere in between consulting a manager and a union representative, in this resulted in 47 per cent either going to a formal meeting or putting their concerns in writing about their problem.

Despite the small sample sizes involved, the survey data showed those who sought information or advice from external providers were more likely to make an application to an ET. For example, based on 60 to 80 respondents 20 – 25 per cent went on to make an ET application of those who consulted ACAS, CAB or a solicitor. While the numbers were even smaller a similar pattern was found for those who consulted the DirectGov website, a JobCentre, the library and the internet. Further the respondents who sought advice from these external sources showed broadly similar patterns in the proportion taking any of the other actions (with solicitor higher and CAB/ a JobCentre slightly lower), this did suggest most respondents had exhausted their options before making an application to ET. There also does appear to be a correlation in Chart 11.10 below seeking more sources of information or advice and taking more actions to resolve the problem.

We know from Section 10.3 taking seeking information or advice from a manager or union representative at work and discussing the problem with an employer brought about better outcomes to a problem. It is therefore important to look at what workplace, job and individual differences there are between those who took some form of action to resolve their problem and those who didn't. This data is provided in Table B11.1. As noted in section 10.2, the workplace and job and even individual characteristics may have changed since the problems arose, and this caveat should be borne in mind when considering the table and the key bivariate differences are as follows:

National and workplace characteristics, around 93 per cent of those employed in the public sector and in workplaces with trade union recognition took action on their most serious problem compared with those employed in the private sector (87 per cent) and in workplaces without trade union recognition (86 per cent). Other corporate resources characteristics that were significant in taking action were the presence of a HR or personnel department (91 per cent) and equal opportunities policy (91 per cent) compared with those who didn't have these at their place of work, 84 per cent and 81 per cent respectively.

Job characteristics, high rates of action on a problem were also found amongst those with an intermediate occupation (94 per cent compared with 86 per cent doing routine and manual work), trade union members (94 per cent compared with 87 per cent for non-members) and who received equal opportunities training (92 per cent compared with 87 per cent who didn't).

Individual characteristics, high rates accompany characteristics like older respondents (91 per cent for those 50 and over compared with 83 per cent for 16 – 24), being white (90 per cent compared with 81 per cent for BME/Other), being UK-born (90 per cent compared with 78 per cent for non-UK born), having higher level academic qualifications (94 per cent with higher/post grad degrees compared with 85 per cent for those with no qualifications) and those

with a long-standing illness or disability (95 per cent compared with 88 per cent who don't).

While we know from Chapters 7 to 9, these groups (i.e. young, non-white, non-UK born, with lower qualifications and in routine and manual occupations) were not singled out as experiencing more problems, these results suggest they do not take action when faced with a problem. It is also interesting to contrast these results with those mentioned in Section 4.1 where all survey respondents were asked whether they knew where to find support and information on their employment rights. We now know what characteristics are more likely when respondents actually do seek support or advice when they encounter a problem, and when compared with results in Section 4.1 show striking similarities on workplace, job and individual characteristics.

In terms of differences by type of problem, those involving specific employment rights, unfair treatment and discrimination all show similar results of respondents seeking support and advice (around 88 - 90 per cent). However, more (94 per cent) seek such some form of action when the problem involves bullying and harassment.

We progress to multivariate analysis in Table B11.2, see section 2.4 for a more in depth interpretation of the outputs in Table B11.2 and Table B11.3; and a description of the regression method used. We find in models on national and workplace characteristics (Model 1) that trade union recognition relates to more respondents seeking any action to their problem, no other workplace characteristics were found significant in the model. On job characteristics (Model 2) those were a trade union or staff association member and in an intermediate occupation were more likely to seek some form of action on their problem compared with non-members and those in a routine or manual occupation. Fewer individual characteristics (Model 3) were significant than in the bivariate analysis; with those UK born or where children were present in the household were more likely to take action on their problem. Interestingly from the model, a respondent's knowledge score or the sufficiency of their knowledge did not deter a respondent from seeking some form of action to their problem, and the fear of victimisation or being unfairly treated when raising a problem did not either.

Additional characteristics are added to the multivariate analysis in Model 3. In this instance these were to define the *problem experienced* to see if it made any difference to whether any action was taken to resolve the problem. Problems involving bullying and harassment come out significant compared with all others, as respondents are more likely to seek some form of action to resolve them.

Final model. The significant variables from the earlier models which do not appear in Model 4 are trade union recognition, children in the household and problems involving bullying and harassment. The ones that remain are:

- **Occupation**, respondents in intermediate occupations were more than twice as likely to take some form of action compared with those in routine and manual occupations.

- **Trade union or staff association members** were almost two and a half times as likely to take action to resolve their problem compared with non-members.
- **Country of birth**, UK-born respondents were twice as likely to take some form of action compared with non-UK born.

We explore some possible explanations for these results below

Trade union or staff association members

The same variable was significant across all problems explored in Chapter 7, 8 and 9, and some explanations were put forward that apply equally here. First, the possibility people with problems join trade unions as a result of their experience. Most likely after they have approached one for information, advice or some of action on their behalf. Second and related to the first, trade union members were more likely to have the access to the resources (a union) to help resolve the problem and be assisted in taking more serious action as seen in Section 11.3.

Occupation / Country of birth

Here we can only speculate about a possible explanation, but the most likely is those in manual or routine occupations or non-UK born may find it more difficult to navigate the range of information and advice available and the take the appropriate action to resolve the problem. This lack of confidence issue may prevent them from even trying. However, there is no direct evidence (from section 10.3) their problems result in any worse outcomes compared with any one else or that they are likely to experience more problems (Chapters 7 – 9).

11.4 Lessons learnt

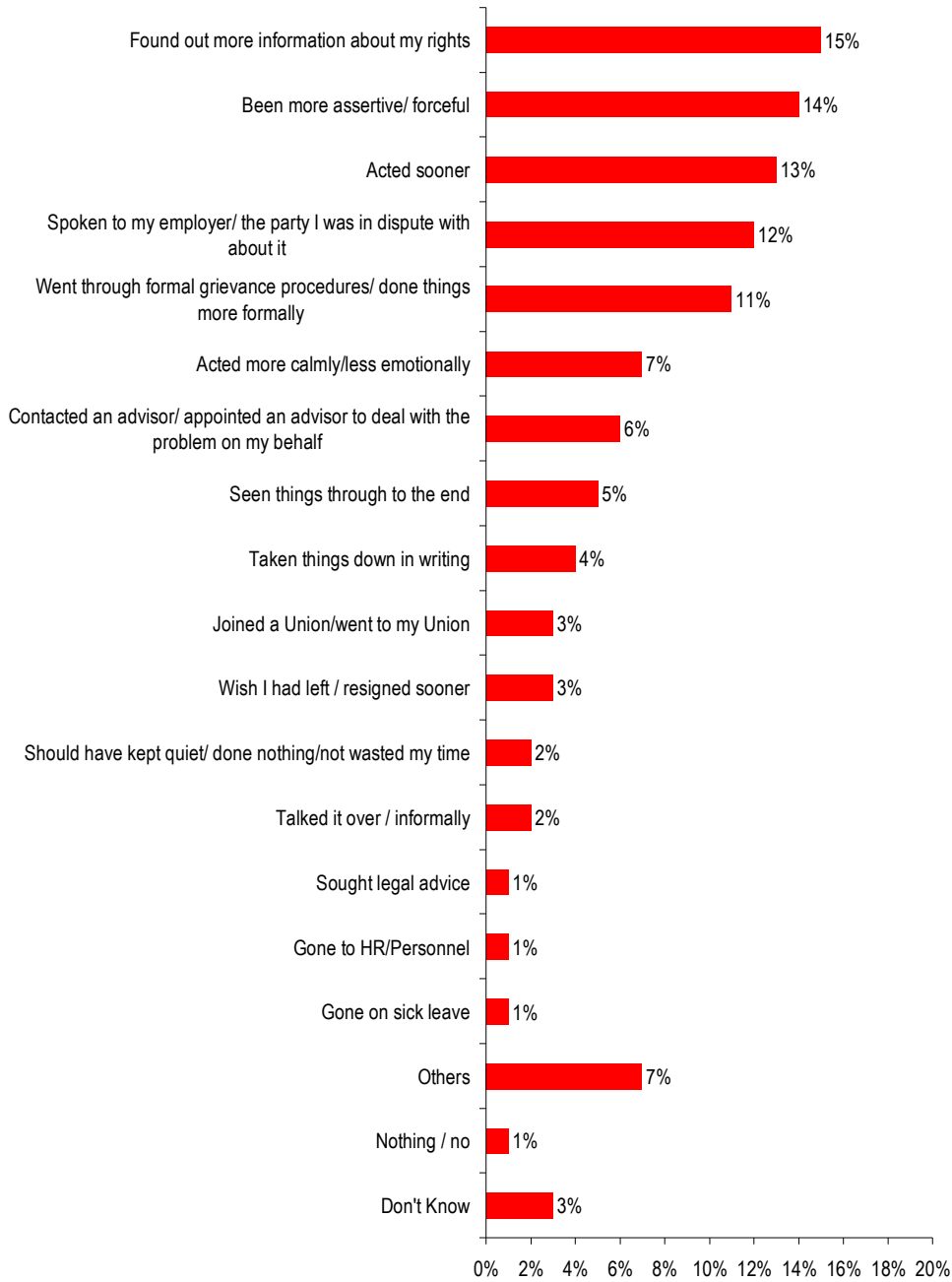
This final section looks at what respondents with a most serious problem said they would have done differently and whether they felt additional support or help would have helped. About a third of those with a problem would have done something different to resolve their problem. In particular those with a disability or long standing illness (40 per cent), those with more than one job (49 per cent) and problems that involved bullying (39 per cent) were all more likely to say they do something differently.

Chart 11.11 shows the reason stated most was to find out more information about their rights and this echoes Chapter 3 where those with problems were found to be less confident about their knowledge than those who didn't have any problems. Other stated reasons were to be more assertive or forceful (14 per cent), wished they acted sooner (13 per cent), spoken to their employer (12 per cent) and went through a formal grievance procedure (11 per cent).

Although direct comparison with the 2005 Employment Rights at Work Survey (ERWS) is difficult because an expanded set of answers were given in the 2008, a similar proportion (30 per cent) wished they had done something differently in the 2005 ERWS. In terms of notable changes in the order of individual reasons, 'Found out more information about my rights' moved from

3rd in 2005 to 1st in 2008. Other reasons that moved up the order in 2008 compared with 2005 were; 'Spoken to my employer/ the party I was in dispute with about it' (from 9th to 4th), 'Went through formal grievance procedures/ done things more formally' (from 11th to 5th) and 'Contacted an advisor/ appointed an advisor to deal with the problem on my behalf' (from 10th to 7th). Reasons that moved down the order in 2008 compared with 2005 were; 'Seen things through to the end' (from 5th to 8th), 'Taken things down in writing' (from 2nd to 9th) and 'Sought legal advice (from 6th to 14th). Although we can not read too much into these movements the increasing importance respondents give to finding out about their employment rights, speaking with an employer about a problem and seeking third party help when problems are not resolved are important step forward if the respondent faces similar problem again, as reflected in the findings of this chapter.

Chart 11.11 What might you have done differently

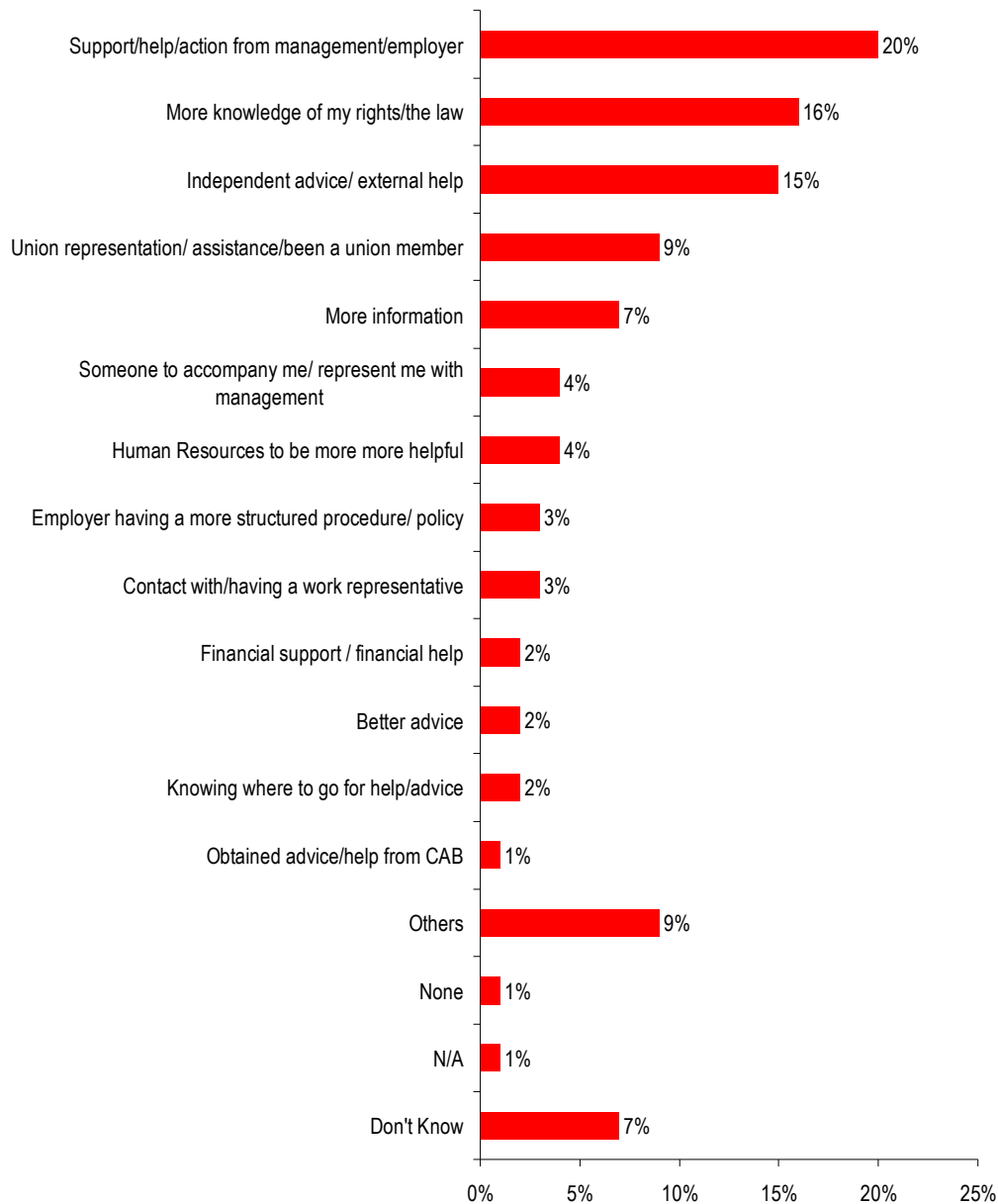


Source: BIS's FTWS 2008

Base: All respondents who had a most serious problem at work and who wish they had handled the situation differently from Q6.48, multiple coding may sum to more than 100 (weighted = 417; unweighted = 417)

Almost half of respondents with problems (48 per cent) felt they would have benefited from more help or support in resolving their problem. Chart 11.12 the most common appeals for more support were for the following; help and action from manager (20 per cent), more knowledge about my rights and the law (16 per cent) and independent advice or external help (15 per cent). On the third reason, almost 40 per cent of those with problems said they would have benefitted from the assistance of mediator to resolve their problem. This was particularly the case for those in the middle age bracket (25 – 49), those with disability or long standing illness, non-UK born, those in smaller workplaces (1-9 employees) and those without an HR department, Those in the youngest age bracket (16 – 24) were less likely to want this.

Chart 11.12 What more help/support would have been useful



Source: BIS's FTWS 2008

Base: All respondents who had a most serious problem at work and who would have benefited from more help and support from Q6.45, multiple coding may sum to more than 100 (weighted = 636; unweighted = 642)

As before, we look at what workplace, job and individual differences there are between respondents who seek advice and those who do not. This data is provided in Table B11.4. As noted in section 10.2, the workplace and job and even individual characteristics may have changed since the problems arose, and this caveat should be borne in mind when considering the table and the key bivariate differences are as follows:

National and workplace characteristics, those in England (50 per cent) were more likely to say they would have benefited from more help and support than Scotland (39 per cent) or Wales (33 per cent). This was also true of those in small firms (53 per cent with 1 – 9 employees) and in workplaces without trade union recognition (51 per cent), HR facilities (57 per cent) and an equal opportunities policy (62 per cent).

Job characteristics, those with more than one job, without equal opportunities training, shorter job service and lower earnings were all more likely to state they would have benefited with more help and support.

Individual characteristics, BME groups (56 per cent) and non-UK (59 per cent) are the only two individual characteristics significantly more likely to have felt they would have benefited from more help and support. In terms of differences by type of problem, respondents with problem involving discrimination (61 per cent) and bullying/harassment (58 per cent) are more likely to say they would have liked more help compared with other problems.

From the bivariate analysis we progress to multivariate analysis in Table B11.5, see section 2.4 for a more in depth interpretation of the outputs in Table B11.5 and Table B11.6; and a description of the regression method used. We find in model 1 on national and workplace characteristics the only characteristics significant is the presence of a written equal opportunities policy in the workplace. In model 2 on job characteristics, equal opportunities training and those with higher earnings are less likely to feel they would have benefitted from more help and advice. In model 3 on individual characteristics, most characteristics are not significant except awareness and knowledge of rights and the fear of being victimised or unfairly treated if a formal complaint was raised.

Additional characteristics are added to the multivariate analysis in Model 3. These are a range of variables to define the *problem experienced*, the *advice sought*, the main *actions taken* and one *other* variable on whether the respondent felt they needed more help and support to deal with their problem. Within these characteristics, for problems involving an employment right and where advice was sought from a friend, colleague or other source at work were more likely to feel they would have benefitted from more help and support. Having this feeling was also highly correlated with wishing they had handled the problem differently.

Final model. The significant variables from the earlier models which do not appear in Model 4 are equal opportunities policy, earnings and problems involving employment rights. The ones that remain are:

- **Equal opportunities training**, those who had such training were 68 per cent less likely to feel they would have benefitted from more help and support
- **Knowledge score and sufficiency of knowledge**, those with a low score and who felt they did not know enough about their rights were up to three times more likely to feel they would have benefitted from more help and support compared with those with a high score who knew enough. Those who did not know enough were generally more likely to feel they needed more help and support.
- **Being victimised or unfairly treated if raising a complaint**, those who felt this were over two time more likely to feel they would have benefitted from more help and support
- **Advice sought from a friend or colleague**, those who sought such advice from this source were 60 per cent more likely to feel they would have benefitted from more help and support.
- **Advice from other source at work**, those who sought such advice from this source were almost 70 per cent more likely to feel they would have benefitted from more help and support.
- **Wish problem had been handled differently**; those who felt this were almost 4 times as likely to feel they would have benefitted from more help and support.

We explore some possible explanations for these results below

Equal opportunities training

In Chapter 3 and 4, this was an explanatory factor in greater awareness, knowledge and confidence in knowing where to find out about employment rights. Further in Chapter 8 while equal opportunities *policy* was significant in the reduced odds of unfair or discrimination, the possible explanations given could equally apply here. First, familiarity with this policy would allow employees to not only define their problem better but seek the action to resolve it. Second, such training promotes trust between employer and employees and reassures employees not only of their rights but the help and support available if any problems are encountered.

Knowledge score and sufficiency of knowledge.

Awareness and knowledge of rights has featured significantly across Chapters 7 and 8, and its significance here reinforces these earlier findings. Those who needed to know more and scored less correct answer on an employer's legal obligations (see section 3.2), 'low score/ don't know enough', are more likely to feel they could have benefitted from more help and support compared with those who claimed they better scores and did not need to know more, 'high score/ know enough'. Further those who claim a deficit in just their knowledge, 'don't know enough', are more likely feel this compared with those who do not. As stated in Chapter 8, the experience of trying to deal with a problem then shows you need to know more no matter whether you actually know much about your rights to begin with or not.

Being victimised or unfairly treated if raising a complaint

While being victimised or unfairly treated if raising a complaint was not significant for either seeking any action to a problem (Section 11.3) or associated with a negative outcome to the problem, it is significant to whether the respondent feels they need more help or support to resolve their problem. Further research is required to understand the effect on feeling victimised or unfairly treated on a respondent's confidence in dealing with a problem.

Advice sought from a friend or colleague / other source at work

We can only speculate about the significance of why those who sought advice from a friend, colleague or other source at work (i.e. staff handbook, work intranet) were more likely to feel they needed more help or support. Some results in Section 11.1 hint at these sources being more common for those without corporate resources like a HR department or union representative at work. Whether these sources were found inadequate for helping to resolve the problem is not conclusively shown in the results of this chapter. Some mixed results on satisfaction with the information or advice provided by these sources were shown in Chart 11.6 on these sources, but further work is required to unpick the exact effects given obvious sample size constraints.

Wish problem had been handled differently

As one might expect the earlier results on those respondents who felt they might have done something differently to resolve their problem is positively correlated with feeling they could have benefitted from more help and support would have benefitted them. Two of the key reasons stated on what respondents would have done differently were 'found out more information about my rights' and 'spoken to my employer / the party I was in dispute with about it', this mirrors the top two reasons on the extra help and support that would have been useful 'support/help/action from manager/employer' and 'more knowledge of my rights/the law', both are necessary conditions for the successful resolution of a problem. From the other reasons there appears a second theme around getting appropriate third party help, and perhaps this is related to why those who sought friend, other work colleague or workplace source felt they would have benefitted from more help and support, some respondents feel they do not have access to the resources they need to resolve their problem.

11.5 Summary

Advice or information sought

- The majority of respondents (72 per cent) sought some kind of advice or information for their problem, 46 per cent contacted a single source for information while 54 per cent contacted more. This is a significant increase when compared with the 2005 Employment Rights at Work Survey (ERWS), on a comparable set of problems, when only 53 per cent did this.
- The majority (59 per cent) chose to seek this advice or information straightaway, while 23 per cent sought it within a month of the problem starting, 12 per cent within 6 months and just 5 per cent any time later.

First and subsequent contact with an advice or information provider (source)

- As a first point of contact a manager at work (38 per cent) was most common, followed by a personnel / HR officer (24 per cent), other colleague at work (23 per cent) and a trade union representative at work (21 per cent). Workplace sources were favoured more generally, 71 per cent contacted them first compared with 15 per cent who first contacted a provider (i.e. trade union outside work, CAB, ACAS, etc.).
- However, providers were favoured more as a subsequent point of contact for a problem. In particular, a trade union outside of work was favoured more overall followed by a similar list of workplace sources as above.
- 21 per of respondents with a problem said someone had acted on their behalf to get any advice or information to resolve their problem.

Effectiveness of advice or information provider (source)

- Overall 76 per cent found all or some of the advice or information they needed from the first source they contacted. Similar proportions (23 per cent) did not get the advice or information they needed whether they contacted one source or they contacted more.
- In terms of particular sources at first contact, a trade union outside work was more effective at providing all the information needed followed by friend with specialist knowledge, union representative at work and a personnel/ HR officer.
- In terms of what respondents were looking for in a first source, 'I wanted to know about procedures\ what to next' (46 per cent) came top followed by 'I wanted to know about my legal rights' (38 per cent). The only slight change from the 2005 ERWS was an increase in those who stated 'I wanted other advice or help' (28 per cent) up from 18 per cent in the 2005 ERWS.

Further action taken

- Respondents were asked whether they tried to resolve the problem in 5 ways. The most common action was to discuss the issue with their employer (66 per cent) and the least common was making an application to an ET (3 per cent). The other actions in rank order were

as follows; try to resolve informally (52 per cent), have a formal meeting (33 per cent) and put the issue in writing (29 per cent).

- Young workers, non-trade union members, those with no qualifications and in routine or manual occupation were all less likely to take any of the actions above.

Any form of information, advice or action sought

- Almost 90 per cent of those with a most serious problem took some form of either information, advice or further action. About two thirds took information or advice and action, while 16 per cent took action to resolve their problem but not any information or advice and 7 per cent took information and advice but not action.
- For those respondents who sought no information or advice, they had some of the lowest rates of action. Only 47 per cent tried to discuss the problem with their employer, 40 per cent sought an informal resolution to the problem, 17 per cent sat down to a formal meeting and 10 per cent put the issue in writing.
- Despite the small sample sizes involved, the survey data showed those who sought information or advice from external providers (ACAS, CAB, solicitor etc.) were more likely to make an application to an ET. These respondents showed broadly similar patterns in the proportion taking any of the other actions (with solicitor higher and CAB/ a JobCentre slightly lower); this did suggest most respondents had exhausted their options before making an application to ET.
- There also seemed to be a relationship between seeking more sources of information or advice and taking more actions to resolve the problem.
- Across workplace, job and individual characteristics; being in an intermediate occupation was twice as likely compared with those in a manual or routine occupation to seek any kind of action for their problem. Non-UK born compared with the UK-born showed a similar result. Trade union members were two and a half time more likely than non-members to seek any kind of action to their problem.

Lessons learned

- About a third of those with a problem would have done something different to resolve their problem. The most common reason being to have found out more about their rights (15 per cent) followed by been more assertive or forceful (14 per cent), wish they acted sooner (13 per cent), spoken to their employer (12 per cent) and went through a formal grievance procedure (11 per cent).
- Roughly half of respondents felt they would have benefited with more help or support in resolving their problem. The most common appeals for more support were for the following; help and action from manager (20 per cent), more knowledge about my rights and the law (16 per cent) and independent advice or external help (15 per cent).
- Across workplace, job and individual characteristics; equal opportunities training, awareness and knowledge of rights, being victimised or unfairly treated if raising a complaint, advice sought from friend/colleague or other workplace source (i.e. handbook, intranet) and wishing problem had been handled differently were all significant

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explanatory factors to feeling one would have benefitted with more help or support on their problem.

12 Report Conclusions

In this chapter, we discuss the lessons that can be learned by taking an overview of all the findings we have reported. In the process, we make some recommendations for the direction of future research. This chapter is therefore of particular interest to more specialist readers. For other readers, the main findings of the 2008 Fair Treatment Survey can be easily summarised. Employees expressed a high, and increasing, level of confidence in their knowledge of employment rights. Although there was evidence that some people's knowledge was not all that they believed it to be, there was some suggestion of a slight increase in the knowledge they were able to demonstrate. At the same time as people's confidence in their rights went up, the level of problems with employment rights which they reported went down.

These results are certainly good news for all concerned, including policy-makers, but they come with a caveat. From our analysis of the data it produced, we are reasonably confident that the survey took place before the employment effects of an economic down-turn were felt. It is reasonable to expect that confidence in rights, and problems with rights, are affected by the economic climate. For example, in a long period of growth and full employment, employers have incentives to observe employment rights which are not present when there is no difficulty in recruiting or retaining labour or, indeed, when redundancies are taking place. Therefore, if the survey had been conducted a few months later, it is quite possible that we would have seen some change in confidence and more experience of employment problems.

The onset of recession is an obvious reason for repeating the Fair Treatment Survey. Undertaking the survey at a different point in the economic cycle will give us a better understanding of this key area of regulation. There is, however, more to be learned from the 2008 dataset than we have been able to discuss in this report. Some suggestions for further analysis of the survey have been made in earlier chapters but we will summarise them at the end of this chapter. We will also summarise our suggestions for new data-gathering to answer questions which have been generated in the course of our analysis. For example, our analysis has raised questions we cannot answer with the 2008 dataset because of limitations of sample size in respect of ethnicity, disability, religious belief, sexual orientation and agency workers. We will also indicate the main areas in which we think longitudinal research is required.

The structure of the chapter is as follows:

- Section 12.1 discusses whether people are behaving in the way the employment rights framework assumes they must do if an individual approach to the exercise of employment rights is going to work as intended;
- Section 12.2 discusses the relationship between trends in confidence in knowledge of rights and trends in the number or type of employment problems reported;
- Section 12.3 discusses the relevance of the vulnerability concept in the survey results;
- Section 12.4 summarises future research priorities.

12.1 Does employee behaviour match the assumptions of the employment rights framework?

Section 2.3 presented the key assumptions of the employment rights framework in Chart 2.2, the (four-step) Employment Rights Model: employees should know rights (at least in general terms); know where to get support for them, demand rights and then achieve them. Are people behaving in the way they need to in order to make this model work?

Chapter 3 showed people were more confident that they knew what rights they had in general terms than they had been just three years ago. They were, in fact, also more knowledgeable than in 2005 and the vast majority were aware of several important rights. On the other hand, there was limited knowledge about the detail of the National Minimum Wage (NMW), some working-time rights and the detail of statutory paid holiday entitlement, and some disinterest in parental rights.

If they know their rights exist, do employees know where to get support? Chapters 4 suggested that there was fairly good evidence that employees were able to take the second step in the framework in response to a hypothetical situation, i.e. without any reference to real-life problems. Thus more than 80 per cent of all employees said they knew where to find information and, once more, there had been a significant improvement since 2005. Moreover, the more well informed about their rights people felt they were, the more likely they were to say they knew where to go to get more information. Independently of this finding, it was also the case that the more people *actually* knew the more likely they were to say they knew where to go to get information.

If the model of employment rights described above was functioning well, we would expect that an employment problem would stimulate an employee to find out more about their rights. This is exactly what we found when we noted that those who experienced problems were more likely to think they needed to know more. We did not, however, find evidence that this need to know was carried through to the subsequent stage in the model, the stage at which employees took action in pursuit of their rights. There was no difference in propensity to take action between those who reported that they needed to know more about their rights and those who did not. Again this accords well with the model. Possessing general knowledge of rights means people are primed to ask for the support *should they need it*, but their propensity to take action should be a function of the support they receive.

Multivariate analysis reported showed that employees' belief that they knew where to go to get support for unspecified issues was positively associated with having experienced problems at work. It also showed that respondents who had experienced problems were less likely to say they did not know where to go for information on a specific issue, such as the NMW, than those who had not. The only mild caveat to this would appear to be that experiencing problems did not make people any more aware of the national organisations that could be a source of help and advice. Of course the survey did not suggest that these were favoured sources of advice in any event and

the employment rights framework might be predicated on the assumption that employees will seek information or advice closer to the workplace wherever possible.

In general, the foregoing seems to suggest that the answers given to our hypothetical questions about what employees would do if a problem occurred, held up when they were put to a practical test. We can now move on to steps three and four: employees using knowledge, advice and support to demand rights and achieve them. Nearly three-quarters of employees with problems sought advice or information. Section 11.3 showed that two-thirds of those with problems both sought advice and took some form of action. On this measure, the majority of employees behaved in the way the employment rights model assumes they do. Of course conforming to the model did not guarantee that the employees were able to achieve a positive outcome.

What conditions made positive outcomes of employment disputes more likely? The bivariate analysis we presented seemed unambiguous: fewer positive outcomes occurred where no information or advice was sought (41 per cent versus 60 per cent) and where no action was taken by the employee (36 per cent versus 56 per cent). This accords very well with the model of employment rights but the multivariate analysis we presented suggested things were not so straightforward. It was not every form of advice, and it was not every form of action that made a positive outcome more likely. Key conditions for positive outcomes were seeking information or advice from a manager or a trade union or staff association representative in the workplace.

Positive outcomes were also more likely if employees were happy with the advice they received, since they were much more likely to report a positive outcome when they said they had got all the help and advice they needed. It might be thought that an employee who reported a negative outcome would conclude from that fact alone that they did not get all the help and advice they needed. But further multivariate analysis (table B11.5) showed that people were less happy with the help and support they received where they feared victimisation or unfair treatment if they raised a complaint (and where they had not received equal opportunities training). They were also more likely to report they could have benefited from more help and support if they felt they needed to know more about their rights. This does not suggest that employees' satisfaction with the help and support they received was entirely a function of the outcome to their problem.

When it came to taking action, a key condition of a positive outcome was that the problem should be discussed with the employer face-to-face or on the telephone, taking the case to an Employment Tribunal was associated with a significantly reduced likelihood of a positive outcome. We need to bear in mind, however, that none of these conditions guaranteed a positive outcome. We know roughly half of the disputes reported had a positive outcome, but we know that larger proportions went to a manager or a trade union for advice and / or discussed their problem with their employer. We also know, for example, that only 40 per cent of those who discussed their problem with their employer thought this resolved the problem or made it better.

Independently of whether the employee had advice from a manager or trade union representative and discussed their problem with their employer a

positive outcome was made more likely by the existence of an equal opportunities policy and greater length of service. The existence of the policy might tell us something about the employer's concern to demonstrate their commitment to act reasonably and responsibly and therefore their interest in a positive outcome.

It is important to bear in mind that bivariate analysis showed fewer positive outcomes occurred where no information or advice was sought and where no action was taken by the employee. Multivariate analysis showed that not every form of advice and not every form of action made a positive outcome more likely. Which forms of advice and action did not have this effect? Those who did not seek advice of any kind were less likely to take any action which might address their problem: for example less than half of them discussed the problem with their employer. Yet not seeking any kind of advice at all (the behaviour of 28 per cent of those reporting problems) made a positive outcome no less likely. We should be careful about how we interpret this, however. Some forms of advice (a solicitor and the CAB for example) are turned to when other options have been exhausted and the choice may be between the least painful of two potential negative solutions.

Nearly a quarter of those reporting problems (24 per cent) turned to an HR function as their first or subsequent source of advice but this did not make a positive outcome more likely, nor did approaching a trade union outside the workplace (a first or subsequent source of advice for 23 per cent). Yet employees were more likely to say that their information or advice requirements had been met from these sources: HR staff were better than managers in this regard and trade unions were better than local trade union representatives. Perhaps the expertise of HR staff and trade union sources was cancelled out by their lack of a localised context for the advice which employees needed if they were to know how to act on it?²⁹ On the other hand, it might once more be that these sources were approached in cases where a negative outcome was beginning to look more likely. In both cases, but especially where advice was sought from a trade union, more problems resulted in formal meetings or concerns being put in writing than was the case where a manager was the source of advice.

Consulting a trade union representative was also more likely to lead to more formal actions, but the proportions of problems which led to a discussion with the employer or an informal solution were fairly similar where managers and trade union representatives were consulted. In fact, it is worth investigating whether managers and trade union representatives were not so much providing advice which helped employees to achieve a positive outcome but actually bringing about that positive outcome directly. Indeed this might be why, amongst those who did seek advice, there were more employees who turned to a workplace source than we would have expected from people's answers to our hypothetical questions about what they would do if they were faced with a problem.

²⁹ 57 per cent said that a friend/relative with specialist knowledge gave them all the information they needed but source made no difference to the likelihood of a positive outcome either.

Amongst employees who consulted all workplace sources (chart 11.5), only 1 per cent said they wanted 'to resolve the problem/find the answer to my problem' whereas 46 per cent said they wanted 'to know about procedures / what to do next' and 38 per cent said they wanted 'to know about their legal rights'. Smaller proportions wanted justice or redress (20 per cent) and said 'I wanted them to act on my behalf' (16 per cent). Within these figures, however we find that 23 per cent of those contacting a manager wanted them to act on their behalf. When contacting HR, employees were more likely to be looking for information about their legal rights (47 per cent) than wanting them to act on their behalf or take their case (10 per cent). For trade union representatives the contrast was even greater: 51 per cent wanted them to act on their behalf or take on their case and 34 per cent wanted justice or redress (but also a higher percentage wanted to know legal rights: 65 per cent).

There is some evidence here of people not behaving exactly in the way the employment rights framework assumes they will. With the help of managers and local trade union representatives, employees are achieving positive results not so much by applying knowledge but by getting others to fix their problems. But perhaps one lesson to be learned for dispute resolution and for wider industrial relations is that positive outcomes are more likely when managers and trade union representatives are involved. No matter how knowledgeable they might be, expert sources do not appear to be effective substitutes. An employee who is forced to rely on these sources – for example because they think that their manager is causing the problem they are experiencing or because there is no trade union representative in the workplace – is at a disadvantage. Is there any sign that more employees are achieving positive outcomes by behaving in the way the employment rights model assumes?

Chapter 10 showed that there has been very little change in the kind of outcomes respondents reported. Although changes in question format made comparisons between 2005 and 2008 difficult to interpret, there was, however, an increase in the proportion of employees seeking advice or support for their problem. As we said in chapter 11 this might indicate that individuals were taking responsibility for finding out whether their rights have been infringed, but the chapter also suggested people rather ran out of steam once they had made this initial move.

Nearly half (45 per cent) of those who did not find the help and advice that they needed did not go on to seek advice or information anywhere else. The proportion of those who sought information or advice that got all they needed had fallen slightly but, all the same, fewer employees went on to get more information. Compared with 2005, fewer people went on to seek help from a subsequent source no matter whether they got all or some of what they needed from the first source. We also know there was little change between 2005 and 2008 in where people went to first for their advice and information and little change in what they were looking for. There has been little change in the proportions of employees who report that they wish they had handled their problem in a different way. This all suggests there have been no big shifts in underlying behaviour.

There were some changes in the order of the things that employees wished they had done differently. 'Found out more information about my rights' moved

up the list from third to first and these other items also moved up: 'spoken to my employer / the party I was in dispute with', 'went through formal grievance procedures / done things more formally' 'contacted an advisor / appointed an advisor to deal with the problem on my behalf'. Employees may not be achieving more positive outcomes by behaving in the way the employment rights model assumes but they may have learned lessons which will help them to achieve their rights in future.

Increased confidence in knowledge of their rights made employees more likely to ask for help and advice but, thus far, this has not been enough to bring about more positive outcomes. The fact that there has been no fundamental change in behaviour needs to be borne in mind in the next section when we turn to trends in reporting of employment problems.

12.2 What does the survey tell us about the causes and effects of trends in employment problems?

Chapter 6 shows that reported problems with employment rights have fallen since 2005 and, in almost all cases, the proportion of the sample reporting problems in 2008 was down to single figures. The previous section suggests that it was not the actions of employees using the employment rights model that brought about the decrease in employment problems. However, the question of why there has been a reduction in reported employment problems was not one the survey was designed to answer. For example, such a decline might be the result of employers taking action to stop problems occurring in the first place because they were complying with UK or EU regulation or to non-governmental pressures. We did not research these topics, but what can we say about the relationship between problems and individual employees' behaviour within the context of the employment rights framework that might be relevant?

We know those who had experienced problems were more likely to say they did not know enough about their rights. In 12.1 we suggested that this might indicate that, as the framework assumes, people were primed to ask for support *should they need it*. The question arises of whether employees may be less quick to reach this threshold than they have been in the past and that this might produce a decline in reported problems. This might be because, as Chapter 3 suggested, the general climate of opinion has led people to believe that employment rights are very well provided for (and therefore very unlikely to be breached). In this way, the decline in problems would have something to do in part with the employment rights framework but the connection could be traced to an effect of employee confidence rather than action taken to resolve problems.

If we were to assume that people were no slower to decide they had a problem than they had been in the past, then another possibility arises. What if people's confidence in their knowledge of rights were the dependent variable and problems the independent one? If variations in confidence were a function of employees' experience of problems, then it might even be that the relationship between the two trends for 2005-8 was the reverse of the one originally envisaged. Confidence in knowledge (and even knowledge of

specific obligations) would have gone up because problems (for reasons we do not yet know) had gone down.

Bearing in mind that these are by no means the only possibilities, and there is a limit to what we can do with a cross-sectional study, what other information from the survey can we draw on to evaluate them? We know from Chapters 3 and 4, 10 and 11 that the employees best equipped to benefit from the individual approach to employment rights were those with extra resources to begin with: direct corporate resources (including trade unions) and/or more opportunity (experience and so on) to accumulate their own resources from these or other sources. This was underlined by the fact that corporate resources made a significant difference to a successful outcome, but only one of the resources made any difference to experience of problems (an equal opportunities policy which made a difference to unfair treatment and discrimination). This argues against an effect of employee confidence, or competence, on the reporting of problems.

As an aside, if employment problems have fallen for reasons not investigated in this survey, namely pre-emptive action by employers, we would expect to see employers who were doing most to take action on rights employing respondents who reported less problems. In the case of equal opportunities policies there would be grounds to conclude this, but nowhere else. Perhaps this is an indication that employment problems are not often caused by the behaviours to which corporate resources are usually addressed, behaviours which are usually sought to be as inimical to good business as they are to good employee relations? Problems might be *integral* to the employment relationship rather than tangential to it. After all, in Chapters 6 and 8, we emphasised the importance of the perceived fairness of the individual's effort bargain to the problematising of behaviour. This is not what corporate resources or, indeed, the employment rights framework itself, are usually thought to be focused upon. This would be a fertile area for more research.

We therefore return to the notion that employment problems are the independent variable and partly explain an employee's confidence in their knowledge of their rights. Certainly the degree to which people need to know more appears as a significant variable in multiple regression for all three different kinds of problem and it does not matter how we construct our models (excluding problems with a former employer for example) since the associations remain substantial, and usually much stronger than in respect of any other variable. Without these data it would certainly be impossible to make the case that trends in problems help to determine trends in confidence but they are far from conclusive evidence in favour of the idea that the experience of problems teaches employees that they do not know enough about their rights. Further research effort should be directed to establish whether or not employees know about rights, and feel informed about them, as long as they have no direct experience of them.

12.3 In search of vulnerable workers – who has the most problems at work?

Our hypothesis about the effects of personal experience of problems on the way which employees understand the limits of their knowledge of employment rights does not exhaust what the survey can tell us about the correlates of these problems. Although changes in methodology make reliable comparisons difficult, there is little to suggest that these correlates do change quickly over time. Type of workplace and type of job make little difference to the distribution of problems. Corporate and other resources may be clustered in particular jobs and workplaces, but problems are randomly distributed across the working population. The exceptions are that the low paid are more likely to report specific employment problems and those with very short service are more likely to report for bullying and harassment.

It is by no means certain that pay is the independent variable in the relationship with problems. Problems counted under specific employment rights, the type of problems where low pay is significant, tend to be those which might reduce the earnings an employee would be able to report. On the other hand, if you were earning around the minimum wage you were more likely to report problems with the NMW.³⁰ We should not, however, rule out the possibility that low-paid workers are vulnerable to poor treatment in more than pay.

Service of less than one year was significant for bullying and harassment unless we limited the problems being explained to the last couple of years. This limitation increased the proportion of those with more than one year's service who were reporting bullying and harassment. Chapter 9 also introduced evidence to suggest that negative behaviour might actually be *less* common amongst those with shorter service.

If type of workplace and type of job made little difference to the distribution of problems, we are left with individual characteristics. Apart from needing to know more, only one variable was significant across all kinds of problems: trade union membership. As with needing to know more, we think there is a strong possibility that this was a dependent variable. To pursue this, we need to know if non-members joined trade unions after they approached them for help and advice and this requires more research. Of course there are other possibilities which can be pursued at the same time: perhaps trade union members find it easier to work out that they have a problem? It cannot be that trade union members know more, however, because we have controlled for this in our multivariate analysis.

³⁰ We learnt in Chapter 4 that the minority of respondents who were more likely not to know where to go to find out about the NMW included those who belonged to what are generally regarded as vulnerable categories (non-permanent jobs, no academic qualifications and so on). Amongst those with problems, there were particular groups whose members were less likely to seek advice or support. Chapter 11 showed that these were the respondents whose employer did not have a HR department, non-union members, those without children, those who were not disabled or long-term ill, those who suffered other problems than bullying and harassment. Apart from the rather obvious point about the protection afforded by corporate resources, it is not immediately obvious how these findings help us to advance our understanding of vulnerability and its relevance to our data.

Perhaps non members have more difficulty applying their prior knowledge sufficiently well to be able to decide what kind of employment rights problem they might be experiencing. This may have something to do with trust and expectations: trade union members might not think that their employer necessarily shares their interest in eliminating problems with employment rights? Recall that trade union members were significantly more likely to seek help and advice than non-members and that resolution took longer for trade union members (and where there was trade union recognition). Perhaps trade union members assume that they need independent advice and, when they act on this advice, find that their expectations about some divergence of interest with their employer are confirmed?

Employees with more than one job were more likely to report unfair treatment and bullying. It is not really feasible that this was a dependent variable but further research is needed to flesh out the reasons why being in more than one job creates more problems. There are obvious complications over tax and working arrangements, and having more than one job might make it more likely that an employer would have difficulty with an employee's contract or holiday arrangements or even hours of work. On the other hand, these issues would show up in multivariate analysis of specific employment problems rather than unfair treatment or discrimination and bullying or harassment. Perhaps these findings may reflect the fact that one or both employers of an employee with more than one job may question the commitment the worker has to their firm or organisation?

It begins to look as if having more than one job is an indicator of vulnerability but to establish what is really going on here will require more research. For example, are people who have more than one job so desperate they endure bad employers others would reject? Or are they being singled out for poor treatment within ordinary employers? It would also be sensible if research focused on policy options as well as explanations.

Lastly, we come to the equality grounds but not, to our surprise, in respect of unfair treatment and discrimination. In fact, the most fertile area turns out to be bullying and harassment where equalities considerations have a role (for example sex harassment) but not a very developed one. The fact that gender only crops up as a significant variable for this type of problem suggests that we need to be cautious about adding gender to the indicators of vulnerability to employment problems across the board. Further research will be required to pursue this.

Gay, lesbian and bisexual employees might be thought to be indistinguishable from women, in that they are only significantly more likely to report bullying and harassment, but we have to bear in mind that our analysis of this individual characteristic was handicapped by the small number of cases which appeared in our sample. For this reason, we need to be very careful about assuming that we can be as sure that sexual orientation is not significant for specific employment problems, or unfair treatment or discrimination, as we are that gender is not significant for these types of problems. Future research on sexual orientation and employment problems demands larger numbers of gay, lesbian and bisexual employees.

Last of all, being disabled was significant for the reporting of specific employment problems, and for bullying or harassment. Is being disabled to be understood as having a similar effect to having more than one job or are the disabled better able to recognise problems as might be the case amongst trade union members? Although there is not quite as substantial an effect, the disabled resemble trade union members in that they are more likely to seek help and advice than non-disabled employees. The disabled are more likely to go to an external provider of advice than a workplace source. As with union members, resolution takes longer for the disabled than those who are not disabled.

On the other hand, plausible accounts can be constructed to indicate that, in respect of both types of problems (with employment rights and bullying and harassment), being disabled or long-term sick might sometimes be a dependent variable. There is, for example an extensive literature on the affects of bullying on mental health (and causing psychosomatic symptoms). Of course problems caused by being disabled or ill can then exacerbate the condition that caused them, and there are some obvious reasons why disability might also be an independent variable in respect of employment rights problems. The circumstances of those who are disabled or have a long-term condition will tend to lead them into more situations where they put those rights to test (time off for attending appointments, workplace adjustments etc.).

Chapter 9 introduced evidence that the disabled (and particularly those with 'other health conditions') were the targets of negative behaviour in the workplace. This might also turn out to be a case of the disabled being more likely to get into situations where they put their rights to the test. Perhaps being put in a situation where your rights are tested is as good a definition of vulnerability as we can hope to generate from this research. Certainly the disabled are just as much a priority for future research as those with more than one job.

Independently of whether they were union members, had more than one job or were disabled, we also require more research on those who feared victimisation. Those who experienced any problem at work in the last five years were more likely to say they feared victimisation or unfair treatment if they made a formal complaint. One in five of the sample as a whole feared victimisation but a half or more of those experiencing discrimination, bullying / harassment or unfair treatment said they feared victimisation. This might be an under-estimate of this element of vulnerability because it is possible that employees who feared victimisation would not bother to find out about their rights so would not know whether they had a problem in the first place. This might also explain why those who feared victimisation were no less likely to seek advice, or taken action to address a problem. Fearing being victimised or unfairly treated did, however, help to determine if a respondent felt they need more help or support to resolve their problem. Further research is required to understand the effect of feeling victimised or unfairly treated on a respondent's confidence in dealing with a problem.

12.4 Summary

The individual approach to employment rights

- The majority of respondents did behave in the way required by the individual approach: if they encountered a problem they sought advice and took action. Employees who responded to problems in this way reported more positive outcomes.
- Positive outcomes were more likely when employees involved managers and trade union representatives in dispute resolution. One reason for this was that managers or trade union representatives were able to act on their behalf.
- Increased confidence in knowledge of employment rights has increased the likelihood of employees asking for help and advice but there is no evidence this has brought about a higher proportion of positive outcomes.

Causes and effects of problems

- People who experienced a wide range of employment problems were significantly more likely to say they needed to know more about their rights.
- It is unlikely that the reduction in some types of employment problem is a result of a change in employee behaviour and it is more likely that variations in employment problems are the cause of variations in employees' confidence in their knowledge of their rights.

Vulnerable workers

- Employment problems were randomly distributed across the working population with the following exceptions.
- Trade union members were more likely to report all types of employment problems. It is unlikely that this indicated vulnerability and it is more likely that employees joined trade unions after they experienced a problem and / or that trade union members were more likely to perceive workplace issues as problems than non-members.
- There was a concentration of specific employment problems amongst the low paid. Although this was not the whole story, the problems they were more likely to report tended to be those which might reduce earnings.
- Employees with more than one job, employees who had been in their jobs for less than a year, women, gay, lesbian and bisexual employees and disabled employees were all significantly more likely to report bullying and harassment.

- Disabled employees were also more likely to report specific employment problems. Employees with more than one job were more likely to report unfair treatment.
- There were a number of factors that might explain these patterns, but one of the emerging characteristics of vulnerability is that the circumstances of vulnerable workers place them in situations where their rights are more likely to be tested.

List of future research priorities

- Repeating the survey at a different point in the economic cycle will improve our understanding of many of the issues discussed in this report.
- Larger samples of particular groups of employees are required in order to reach more reliable conclusions in relation to agency working, ethnicity, religious belief and sexual orientation.
- Initial progress can be made with further analysis of the FTWS dataset, but larger samples of disabled workers and workers with long-term health problems are required in order to pursue questions raised in the report, for example about the nature of the association between different types of illness and bullying and harassment.
- New research is needed on the relationship between general public understanding of regulation and legislation in public life and more particular understandings of employment rights.
- There is a need to enquire further into public knowledge of the 48 hours regulation.
- Longitudinal research would shed further light on the relationship between confidence in knowledge of rights and the experience of employment problems.
- Further research is required to clarify the reasons why women, and those who had been in their jobs for less than a year, were more likely to report bullying and harassment. Initial progress can be made through further analysis of the FTWS dataset.
- Further research is required to understand the effect of the fear of, and feeling of, being victimised or unfairly treated on employees' confidence in dealing with employment problems.
- Further research, perhaps including longitudinal research, is required on the relationship between trade union membership and problems. Is it the case, for example, that non-members join trade unions after they have approached them for help and advice?
- The proportion of employees within a workplace who are trade union members may be an important factor which has not been covered by

the FTWS. New research is required in order to investigate the effect of the variations in density of trade unionism between workplaces on the issues discussed in this report.

- More research is urgently needed into the reasons why being in more than one job creates more employment problems, and to investigate possible remedies.
- Further research is needed to refine and develop the idea that a key characteristic of vulnerable employees is that they are more likely to be placed in a situation where their employment rights will be tested. This research would overlap with the research on those with more than one job but would also look closely into the experiences of the low-paid and those who are disabled and / or have a long-term health condition.
- Some progress can be made with the FTWS dataset, but longitudinal research is required to investigate why the presence or absence of a written equal opportunities policy made respondents less likely to report unfair treatment or discrimination. More broadly, access to a broader range of 'corporate resources' may have an effect on the perception of employment problems and further research is needed to reach a clearer understanding of this.
- A particularly productive area for research on perceptions of employment problems would be discrimination. Some initial progress can be made with further analysis of the FTWS dataset in order to investigate the factors that shape perceptions of discrimination and non-discrimination.
- Further research is needed into employee conceptions of fair treatment. This research could address the broader question of the extent to which the employment rights framework captures practices that offend employees' sense of natural justice. Further issues for investigation include the extent to which employees want a breach of natural justice to be treated as a violation of their rights and the extent to which such problems are *integral* to the employment relationship, for example related to the perceived fairness of the effort bargain.
- Further analysis of the FTWS dataset, including the supplementary dataset generated by a self-completion questionnaire, would illuminate the relationship between confidence about knowledge of rights and experience of problems to employee attitudes towards management (including trust) and various measures of health and well-being.

Annex A Glossary

Term	Definition
ACAS (Advisory, Conciliation and Arbitration Service)	ACAS help with employment relations by supplying up-to-date information, independent advice and high quality training, and working with employers and employees to solve problems and improve performance.
Awareness	An individual is sufficiently informed about a subject for him/her to be conscious of its existence and its broad subject matter. In this sense, awareness of an employment right or legislation implies that the individual had heard of it, and had some idea of the area of working life to which it relates
BIS (Department for Business Innovation and Skills, formerly BERR)	The aim of BIS – Employment Relations is to improve the quality of working life for individuals, and create the conditions for business success. We support better regulation and are working to promote best practice and effective employment relations.
Bivariate analysis	An analysis of the relationship between two variables, usually displayed by a simple tabulation between the two (i.e.
British Workplace Behaviour Survey	Face-to-face interviews with a representative sample of UK employees (or those with experience of employment in the previous two years) were conducted over the Winter months of 2007-2008. The total weighted numbers achieved were 3979 including an ethnic/non-Christian boost. Questions on the prevalence of negative experiences in the workplace.
Corporate characteristics	Ideal typical characteristics of a workplace with well developed resources - for instance, public or large size private sector, with HR/personnel department and trade union recognition.
CAB (Citizens Advice Bureau)	The CAB helps people resolve their legal, money and other problems by providing free information and advice.
Citizenship Survey	The survey is collected through face-to-face interviews with almost 10,000 adults in England and Wales each year, with a minority ethnic boost sample of 5,000. Particular questions are on racial and religious prejudice and discrimination. Headline findings available on a quarterly basis.
DirectGov	DirectGov is a website which puts all the information and services from a variety of UK government departments and agencies in one place, in particular information on your employment rights.
EAS (Employment Agency Standards Inspectorate)	EAS is part of BIS and their role is to carry out routine inspections of agencies and investigate complaints about agency conduct.
Employment Tribunal (ET)	This is a special court of law which hear employment cases, for example, sex discrimination, unfair dismissal and non-payment of National Minimum Wage
Employee	An individual working under a contract of employment. A contract need not be in writing - it exists when there is agreed terms and conditions of employment. The contract will normally set out what you are expected to do. You will usually be expected to do the work yourself - i.e. you can't send someone else to do your work for you.
English and Welsh Civil and Social Justice Survey (EWCSJS)	The survey was carried out in 2001, 2004, 2006 and 2007. The 2007 survey consisted of 3,658 face-to-face interviews in England and Wales, and includes questions on respondent's problems on 18 areas (incl. employment) and strategies for resolving them. The survey is drawn from a base of respondents experiencing at least one of any number of 18 problem areas rather than a random sample of employed adults like the FTWS or ERWS. This makes direct comparison impossible, but reference is made to this survey whenever possible.

Fair Treatment at Work Report

Equal opportunities policy or training	Policy and training in the workplace to encourage the absence of discrimination on the basis of race, colour, age, gender, national origin, religion, or mental or physical disability.
ERWS (Employment Rights at Work Survey)	The 2005 survey followed and improved upon the 2000 Awareness, Knowledge and Exercise of Individual Employment Rights. The survey consisted of 1,038 random stratified face-to-face interviews with recent or current employees in Great Britain. Many of the questions asked formed part of the 2008 Fair Treatment at Work survey.
European Working Conditions Survey	The survey was carried out in 1990/91, 1995/96, 2000 and 2005. The 2005 survey consisted of 29,766 face-to-face interviews in 31 countries with 1,058 interviews conducted in the UK, and includes questions on working time, work organisation, pay, work-related health risks and health outcomes and access to training.
FTWS (Fair Treatment at Work Survey)	The 2005 survey piloted some of the questions found the 2008 survey on unfair treatment, discrimination, bullying and sexual harassment. The 2005 survey consisted of about 4,000 face-to-face interviews with recent or current employees in Great Britain on a quota basis with various boost samples. The 2008 survey was based on a similar sample size targeted at the same type of respondent except used a random stratified sample method.
GLA (Gangmasters Licensing Authority)	The GLA regulates those who supply labour or use workers to provide services in agriculture, forestry, horticulture, shellfish gathering and food processing and packaging
HSE (Health and Safety Executive)	The HSE aim is to prevent death, injury and ill-health to those at work and those affected by work activities
LFS (Labour Force Survey)	The survey is the main source of information on the labour market in the UK. It is a random household survey of approximately 57,000 households every three months by the Office of National Statistics.
Knowledge	An individual has a theoretical or practical understanding of a subject. In this sense, knowledge of an employment right or piece of legislation implies that the individual could demonstrate some understanding of the detailed provisions of the legislation (<i>2000 Survey of Awareness, Knowledge and Exercise of Individual Employment Rights</i> (2002: 11, para. 2.1.1.)).
Multivariate analysis	An analysis of the relationship between more than one variable at the same time. The goal of multivariate analysis is to identify statistical relationships between the variables. For example the joint effect of workplace, job and individual characteristics on the prevalence of problems at work or awareness of employment rights levels.
Negative behaviour	Workplace bullying researchers have devised a number of questions to gather information on general negative behaviour in the workplace, not simply the behaviour that respondents or researchers would label as bullying. Thus, the 'Leymann Inventory of Psychological Terrorization' included 45 different types of behaviour and the Negative Acts Questionnaire developed by Einarsen et al. includes up to 28 different 'negative acts'. A revised version of the Negative Acts Questionnaire was a central element of the British Workplace Behaviour Survey.
NMW (National Minimum Wage) helpline	The NMW helpline offer help and advice for employees and employers on the rules of the NMW. We also deal with complaints from workers who are being paid below the threshold over the telephone or by email.
Worker	This is a broader category than 'employees' but normally excludes those who are self-employed. A worker is any individual who works for an employer, whether under a contract of employment, or any other contract where an individual undertakes to do or perform personally any work or services.

Annex B Chapter 3 - Bivariate & multivariate tables

Table B3.1 How informed respondents feel about their rights

Percentages	Very well informed	Well informed	Not very well informed	Not well informed at all	Weighted base	Un-weighted base
All	26	52	19	3	2690	2667
Region						
England	26	52	19	3	2323	2336
Wales	18	60	19	2	118	103
Scotland	30	48	19	3	249	228
Workplace characteristics						
<i>Ownership</i>						
Public	31	53	15	2	753	749
Private	23	52	21	3	1801	1778
Third sector	33	47	18	3	94	98
<i>Industry (SIC)</i>						
Agriculture and fishing	9	54	35	2	29	30
Energy and water	30	50	16	4	91	85
Manufacturing	25	54	18	3	174	172
Construction	19	57	21	2	142	138
Distribution, hotels and restaurants	23	49	23	4	456	439
Transport and communication	27	49	19	4	249	232
Banking, finance and insurance	28	53	16	3	597	583
Public administration, education and health	27	52	19	2	716	751
Other services	24	53	20	4	237	237
<i>Workplace size (employees)</i>						
1-9	23	51	23	3	477	466
10-24	20	53	25	2	483	475
25-99	25	53	18	4	590	609
100-499	29	50	17	4	587	575
500 or more	32	53	14	2	459	443
<i>Trade union recognition</i>						
Yes	31	54	14	2	1029	1027
No	23	50	23	4	1410	1418
<i>Personnel/HR department</i>						
Yes	28	53	16	2	1964	1957
No	19	49	27	5	650	634
<i>Equal opportunities policy</i>						
Yes	29	53	16	2	2135	2122
No	16	48	31	5	296	286

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. Less than 1% of respondents overall answered 'don't know' to this question and so this category is not shown separately

Source: BIS's FTWS 2008

Base: All respondents that were asked Q2.2

Table B3.1 How informed respondents feel about their rights (continued)

Percentages	Very well informed	Well informed	Not very well informed	Not well informed at all	Base (wt.)	Base (unwt.)
Job characteristics						
<i>Occupation (NS-SEC)</i>						
Managerial and professional	32	51	15	2	1004	1009
Intermediate	22	55	21	2	544	542
Routine and manual	22	51	23	4	1109	1082
<i>Managerial/ supervisory duties</i>						
Yes	32	53	13	2	1012	1016
No	22	51	23	4	1677	1650
<i>Employment status</i>						
Permanent	26	52	18	3	2452	2450
Not permanent	18	48	30	4	234	212
<i>Full time</i>						
Full time	27	51	19	3	2001	1965
Part time	21	55	21	2	659	670
<i>Number of jobs</i>						
One job	26	53	19	3	2335	2284
More than one	19	44	31	6	103	110
<i>Equal opportunities training</i>						
Yes	34	53	11	1	1087	1064
No	20	51	25	4	1575	1572
<i>Trade union/staff assoc. member</i>						
Trade union	31	54	14	2	656	659
Staff association	31	55	14	-	132	123
Neither	24	51	21	4	1767	1774
<i>Length of service (years)</i>						
Up to 1	22	50	21	6	394	364
1 to 2	21	54	22	3	494	468
3 to 5	26	54	18	1	534	537
6 to 15	28	49	20	3	798	788
More than 15	30	55	13	2	442	475
<i>Earnings per year (£'000)</i>						
Under 15	17	54	24	4	944	914
15-24.99	27	49	20	4	690	679
25-39.99	34	51	15	1	544	534
40 +	32	55	12	1	297	302
<i>Earn less than £6.50 per hour</i>						
Yes	19	51	27	2	207	206
No	28	51	19	3	1168	1158

See footnote, source and base details on previous page.

Table B3.1 How informed respondents feel about their rights (continued)

Percentages	Very well	Well	Not well	Not at all	Base (wt.)	Base (unwt.)
<i>Individual characteristics</i>						
<i>Age</i>						
16-24	21	49	24	5	415	306
25-32	24	53	20	4	509	471
33-40	23	54	21	1	505	541
41-49	27	52	17	3	629	629
50 and over	30	51	16	3	633	720
<i>Sex</i>						
Male	25	53	18	3	1385	1301
Female	26	51	20	3	1305	1366
<i>Ethnicity</i>						
White	25	52	19	3	2407	2414
BME/Other	28	49	21	2	277	246
<i>Country of birth</i>						
UK	25	52	20	3	2325	2341
Non UK	27	53	18	2	362	323
<i>Highest educational qualification</i>						
Higher/postgrad	35	50	14	1	315	323
Undergraduate degree	29	52	16	3	407	398
HE (below degree)	29	53	17	2	324	334
A/AS level	24	52	21	4	498	457
GCSE (A-C)	21	55	20	3	537	532
GCSE (D-G)	24	48	23	4	244	234
Other incl. trade apprenticeships	21	50	26	3	124	120
None of these	22	48	22	6	229	256
<i>Children in household</i>						
Yes	27	52	18	3	1064	1076
No	25	52	20	3	1620	1583
<i>Longstanding illness/disability</i>						
Yes	24	51	21	5	311	329
No	26	52	19	3	2374	2332
<i>Sexual orientation</i>						
Heterosexual	25	52	19	3	2584	2568
Gay/Lesbian/Bi	29	52	19	-	57	48
<i>Religion</i>						
Christian	27	52	18	3	1815	1844
Other/None	24	51	21	4	853	800
<i>Problems at work</i>						
Any	19	46	29	6	917	897
None	29	55	14	2	1745	1742
<i>How seriously employer takes employment rights</i>						
Very seriously	42	49	8	1	1277	1251
Fairly seriously	12	62	24	2	1080	1062
Not very seriously	6	32	53	10	244	255
Not seriously at all	16	23	28	33	57	65
Don't know	-	29	52	12	32	34

See footnote, source and base details on previous page.

Table B3.2 How informed respondents feel about their rights - Single and Multivariate logistic regressions*

		Single regres- sions	Model 1	Model 2	Model 3	Model 4			
	df	Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.93	0.39	ns					
Ownership (public/private/third sector)	2	<.01	0.24	ns					
Industry (SIC)	8	0.06	0.19	ns					
Workplace size (employees)**	4	<.01	0.07	1.48 ² 1.72 ³					
Trade union recognition	1	<.01	0.01	1.56 ¹			0.01	1.41 ¹	
Personnel/HR department	1	<.01	0.10	ns					
Equal opportunities policy	1	<.01	<.01	2.33 ¹			<.01	1.89 ¹	
Job Characteristics									
Occupation (NS-SEC)	2	<.01		0.97	ns				
Managerial/supervisory duties	1	<.01		<.01	1.64 ¹		<.01	1.85 ¹	
Permanent/not permanent	1	<.01		0.01	1.65 ⁴		0.02	1.73 ⁴	
Full time/part time	1	0.41		0.06	ns				
Number of jobs	1	<.01		<.01	2.22 ⁵				
Equal opportunities training	1	<.01		<.01	2.44 ¹		<.01	2.08 ¹	
Member of TU/staff association	1	<.01		0.01	1.41 ¹				
Length of service (years)	4	<.01		0.03	1.59 ⁶ 1.56 ⁷				
Earnings per year (£'000)	3	<.01		0.02	1.43 ⁸ 1.49 ⁹ 1.64 ¹⁰				
Individual Characteristics									
Age	4	<.01				0.03	1.54 ¹¹ 1.67 ¹² 1.47 ¹³		
Sex	1	0.33				0.49	ns		
Ethnicity	1	0.84				0.43	ns		
Country of birth	1	0.16				0.06	ns		
Highest educational qualification	7	<.01				<.01	2.33 ¹⁴ 2.03 ¹⁵ 1.93 ¹⁶ 1.56 ¹⁷ 1.48 ¹⁸		
Children in household	1	0.15				0.13	ns		
Longstanding illness/disability	1	0.19				0.93	ns		
Sexual orientation	1	0.51				0.30	ns		
Religion	7	0.21				0.87	ns		
Problems at work	1	<.01				<.01	0.33 ¹	<.01 0.35 ¹	

Note: *Variables as defined in Table B3.1

** In Model 1, workplace size became significant in the model after the other non-significant variables were taken out as part of the stepwise selection process.

ns = not significant

1 Yes vs. No

2 1 to 9 vs. 10 to 24

3 500+ vs. 10 to 24

4 Permanent vs. not permanent

5 One vs. more than one

6 3 to 5 vs. 6 to 15

Source: BIS's FTWS 2008, Q2.2

7 More than 15 vs. 6 to 15

8 25 to 39.99 vs. Under 15

9 25 to 39.99 vs. 15 to 24.99

10 40+ vs. 15 to 24.99

11 41-49 vs. 16-24

12 50 and over vs. 16-24

13 50 and over vs. 25-32

14 Higher/postgrad vs. None

15 Undergraduate vs. None

16 HE (below degree) vs. None

17 A levels vs. None

18 GCSE A-C vs. None

Table B3.3 How informed respondents feel about their rights, classification table

Observed	Predicted		Correct %
	No	Yes	
No	307	142	68.4
Yes	693	1043	60.1
Overall percent	45.8%	54.2%	61.8%

Source: BIS's FTWS 2008, Q2.2

Table B3.4 How sufficient is respondents knowledge about their rights

Percentages	Know as much as needed	Could do with knowing more	Weighted base	Unweighted base
All	60	40	2690	2667
Region				
England	59	40	2323	2336
Wales	65	34	118	103
Scotland	62	36	249	228
Workplace characteristics				
<i>Ownership</i>				
Public	67	33	753	749
Private	57	43	1801	1778
Third sector	60	39	94	98
<i>Industry (SIC)</i>				
Agriculture and fishing	52	48	29	30
Energy and water	63	37	91	85
Manufacturing	59	40	174	172
Construction	55	45	142	138
Distribution, hotels and restaurants	52	47	456	439
Transport and communication	56	43	249	232
Banking, finance and insurance	68	32	597	583
Public administration, education and health	60	39	716	751
Other services	61	38	237	237
<i>Workplace size (employees)</i>				
1-9	59	40	477	466
10-24	55	44	483	475
25-99	57	42	590	609
100-499	61	38	587	575
500 or more	69	31	459	443
<i>Trade union recognition</i>				
Yes	65	35	1029	1027
No	57	43	1410	1418
<i>Personnel/HR department</i>				
Yes	62	37	1964	1957
No	53	46	650	634
<i>Equal opportunities policy</i>				
Yes	63	37	2135	2122
No	51	49	296	286

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. 1 per cent of respondents overall answered 'don't know' to this question and so this category is not shown separately

Source: BIS's FTWS 2008

Base: All respondents that were asked Q2.3

Table B3.4 How sufficient is respondents knowledge about their rights (continued)

Percentages	Know as much as needed	Could do with knowing more	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	67	32	1004	1009
Intermediate	59	41	544	542
Routine and manual	54	45	1109	1082
<i>Managerial/ supervisory duties</i>				
Yes	66	34	1012	1016
No	56	43	1677	1650
<i>Employment status</i>				
Permanent	61	39	2452	2450
Not permanent	49	50	234	212
Full time	60	39	2001	1965
Part time	58	41	659	670
<i>Number of jobs</i>				
One job	61	38	2335	2284
More than one	48	52	103	110
<i>Equal opportunities training</i>				
Yes	67	33	1087	1064
No	55	45	1575	1572
<i>Trade union/staff assoc. member</i>				
Trade union	65	35	656	659
Staff association	70	30	132	123
Neither	58	42	1767	1774
<i>Length of service (years)</i>				
Up to 1	57	43	394	364
1 to 2	55	45	494	468
3 to 5	60	39	534	537
6 to 15	60	39	798	788
More than 15	67	32	442	475
<i>Earnings per year (£'000)</i>				
Under 15	53	46	944	914
15-24.99	58	41	690	679
25-39.99	67	33	544	534
40 +	70	28	297	302
<i>Earn less than £6.50 per hour</i>				
Yes	52	47	207	206
No	60	39	1168	1158

See footnote, source and base details on previous page.

Table B3.4 How sufficient is respondents knowledge about their rights (continued)

Percentages	Know as much as needed	Could do with knowing more	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	52	48	415	306
25-32	59	40	509	471
33-40	58	41	505	541
41-49	59	40	629	629
50 and over	68	32	633	720
<i>Sex</i>				
Male	60	40	1385	1301
Female	60	39	1305	1366
<i>Ethnicity</i>				
White	61	39	2407	2414
BME/Other	53	45	277	246
<i>Country of birth</i>				
UK	60	40	2325	2341
Non UK	60	39	362	323
<i>Highest educational qualification</i>				
Higher/postgrad degree	70	30	315	323
Undergraduate degree	61	37	407	398
HE (below degree)	64	35	324	334
A/AS level	59	41	498	457
GCSE (A-C)	54	45	537	532
GCSE (D-G)	54	46	244	234
Other incl. trade apprenticeships	61	38	124	120
None of these	57	41	229	256
<i>Children in household</i>				
Yes	58	41	1064	1076
No	61	39	1620	1583
<i>Longstanding illness/disability</i>				
Yes	50	49	311	329
No	61	38	2374	2332
<i>Sexual orientation</i>				
Heterosexual	60	40	2584	2568
Gay/Lesbian/Bi	66	32	57	48
<i>Religion</i>				
Christian	61	38	1815	1844
Other/None	57	43	853	800
<i>Problems at work</i>				
Any	44	55	917	897
None	68	31	1745	1742

See footnote, source and base details on previous page.

Table B3.5 How sufficient is respondents knowledge about their rights - Single and Multivariate logistic regressions*

	df	Single regres sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.25	0.26						
Ownership (public/private/third sector)	2	<.01	<.01	1.89 ¹			<.01	1.67 ¹⁷	
Industry (SIC)	8	<.01	<.01	1.44 ³			<.01	ns	
Workplace size (employees)	4	<.01	0.08	ns					
Trade union recognition	1	<.01	0.59	ns					
Personnel/HR department	1	<.01	0.82	ns					
Equal opportunities policy	1	<.01	0.02	1.43 ²					
Job Characteristics									
Occupation (NS-SEC)	2	<.01		0.01	1.48 ⁴ 1.69 ⁵				
Managerial/supervisory duties	1	<.01		0.49	ns				
Permanent/not permanent	1	<.01		0.01	1.66 ⁶		0.01	1.69 ⁶	
Full time/part time	1	0.29		0.01	ns				
One job or more than one	1	0.01		<.01	1.92 ⁷		0.01	1.79 ⁷	
Equal opportunities training	1	<.01		<.01	1.54 ²		<.01	1.47 ²	
Member of TU/staff association	1	<.01		0.55	ns				
Length of service (years)	4	<.01		0.14	ns				
Earnings per year (£'000)	3	<.01		0.07	ns				
Individual Characteristics									
Age	4	<.01				<.01	1.89 ⁸ 1.54 ⁹ 1.59 ¹⁰ 1.47 ¹¹		
Sex	1	0.84			0.13	ns			
Ethnicity	1	0.04			0.05	0.71 ¹²	0.01	0.66 ¹²	
Country of birth	1	0.92			0.43	ns			
Highest educational qualification	7	<.01			<.01	1.90 ¹³ 1.39 ¹⁴ 1.53 ¹⁵ 1.35 ¹⁶	0.01	1.69 ¹³ 1.61 ¹⁵ 1.49 ¹⁶	
Children in household	1	0.20			0.44	ns			
Longstanding illness/disability	1	<.01			<.01	0.66 ²			
Sexual orientation	1	0.27			0.16	ns			
Religion	7	0.63			0.97	ns			
Problems at work	1	<.01			<.01	0.38 ²	<.01	0.33 ²	

*Variables as defined in Table B3.4

ns = not significant

1 Public vs. Third sector

2 Yes vs. No

3 Banking, finance and insurance vs. Transport and communication

4 Managerial and professional vs. Intermediate

5 Managerial and professional vs. Routine and manual

6 Permanent vs. Non permanent

7 One vs. more than one

8 50 and over vs. 16-24

9 50 and over vs. 25-32

10 50 and over vs. 33-40

11 50 and over vs. 41-49

12 BME/Other vs. White

13 Higher/postgrad vs. GCSE A-C

14 Undergraduate vs. GCSE A-C

15 HE (below degree) vs. GCSE A-C

16 A levels vs. GCSE A-C

17 Public vs. Private

Source: BIS's FTWS 2008, Q2.3

Table B3.6 How sufficient is respondents knowledge about their rights, classification table

Observed	Predicted		Correct %
	No	Yes	
No	498	400	55.5%
Yes	408	972	70.4%
Overall percent	39.8%	60.2%	64.5%

Source: BIS's FTWS 2008, Q2.3

Table B3.7 Knowledge of employers' legal obligations – mean number of correct answers

	Mean number of correct answers	Standard error of the mean	Weighted base	Unweighted base
All	22.8	0.07	2690	2667
Region				
England	22.9	0.08	2323	2336
Wales	22.7	0.35	118	103
Scotland	22.8	0.24	249	228
Workplace characteristics				
<i>Ownership</i>				
Public	23.2	0.13	753	749
Private	22.7	0.09	1801	1778
Third sector	23.0	0.33	94	98
<i>Industry (SIC)</i>				
Agriculture and fishing	21.2	0.68	29	30
Energy and water	23.3	0.37	91	85
Manufacturing	22.5	0.29	174	172
Construction	22.3	0.34	142	138
Distribution, hotels and restaurants	22.4	0.18	456	439
Transport and communication	22.1	0.26	249	232
Banking, finance and insurance	23.7	0.12	597	583
Public administration, education and health	23.1	0.14	716	751
Other services	22.1	0.27	237	237
<i>Workplace size (employees)</i>				
1-9	22.1	0.20	477	466
10-24	22.8	0.16	483	475
25-99	22.9	0.15	590	609
100-499	23.1	0.13	587	575
500 or more	23.4	0.16	459	443
<i>Trade union recognition</i>				
Yes	23.4	0.10	1029	1027
No	22.5	0.10	1410	1418
<i>Personnel/HR department</i>				
Yes	23.3	0.07	1964	1957
No	21.8	0.17	650	634
<i>Equal opportunities policy</i>				
Yes	23.4	0.07	2135	2122
No	20.9	0.29	296	286

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures

Source: BIS's FTWS 2008

Base: All respondents that were asked Q2.3

Table B3.7 Knowledge of employers' legal obligations – mean number of correct answers (continued)

	Mean number of correct answers	Standard error of the mean	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	23.8	0.09	1004	1009
Intermediate	22.8	0.16	544	542
Routine and manual	22.0	0.12	1109	1082
<i>Managerial/ supervisory duties</i>				
Yes	23.5	0.10	1012	1016
No	22.4	0.10	1677	1650
<i>Employment status</i>				
Permanent	23.0	0.07	2452	2450
Not permanent	21.3	0.32	234	212
Full time	23.0	0.08	2001	1965
Part time	22.4	0.16	659	670
<i>Number of jobs</i>				
One job	22.9	0.08	2335	2284
More than one	23.0	0.36	103	110
<i>Equal opportunities training</i>				
Yes	23.4	0.10	1087	1064
No	22.4	0.10	1575	1572
<i>Trade union/staff assoc. member</i>				
Trade union	23.3	0.14	656	659
Staff association	23.4	0.33	132	123
Neither	22.7	0.09	1767	1774
<i>Length of service (years)</i>				
Up to 1	21.8	0.23	394	364
1 to 2	22.6	0.18	494	468
3 to 5	23.2	0.14	534	537
6 to 15	23.1	0.12	798	788
More than 15	23.2	0.16	442	475
<i>Earnings per year (£'000)</i>				
Under 15	22.1	0.13	944	914
15-24.99	23.2	0.12	690	679
25-39.99	23.4	0.14	544	534
40 +	23.8	0.18	297	302
<i>Earn less than £6.50 per hour</i>				
Yes	21.8	0.27	207	206
No	23.3	0.10	1168	1158

See footnote, source and base details on previous page.

Table B3.7 Knowledge of employers' legal obligations – mean number of correct answers (continued)

	Mean number of correct answers	Standard error of the mean	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	21.9	0.21	415	306
25-32	22.9	0.17	509	471
33-40	23.1	0.16	505	541
41-49	23.1	0.13	629	629
50 and over	22.9	0.14	633	720
<i>Sex</i>				
Male	22.7	0.10	1385	1301
Female	23.0	0.10	1305	1366
<i>Ethnicity</i>				
White	23.1	0.07	2407	2414
BME/Other	21.0	0.34	277	246
<i>Country of birth</i>				
UK	23.1	0.07	2325	2341
Non UK	21.3	0.27	362	323
<i>Highest educational qualification</i>				
Higher/postgrad	23.9	0.18	315	323
Undergraduate degree	23.4	0.15	407	398
HE (below degree)	23.0	0.22	324	334
A/AS level	22.9	0.16	498	457
GCSE (A-C)	23.1	0.14	537	532
GCSE (D-G)	22.1	0.22	244	234
Other incl. trade apprenticeships	22.0	0.40	124	120
None of these	20.6	0.30	229	256
<i>Children in household</i>				
Yes	23.3	0.11	1064	1076
No	22.6	0.09	1620	1583
<i>Longstanding illness/disability</i>				
Yes	22.7	0.20	311	329
No	22.9	0.08	2374	2332
<i>Sexual orientation</i>				
Heterosexual	22.9	0.07	2584	2568
Gay/Lesbian/Bi	23.0	0.47	57	48
<i>Religion</i>				
Christian	23.0	0.08	1815	1844
Other/None	22.6	0.14	853	800
<i>Problems at work</i>				
Any	22.9	0.12	917	897
None	22.9	0.09	1745	1742

See footnote, source and base details on previous page.

Table B3.8 Importance of knowing about the law regarding employers' responsibilities in these areas

Percentages	(Net) Important	Very important	Fairly important	(Net) Not important	Not very important	Not at all important
Ensure health and safety	98	88	10	2	1	1
Not dismiss an employee without fair reason	97	83	14	3	2	1
Provide written statement of terms and conditions	97	80	17	3	2	1
Statutory level of sick pay	96	76	20	3	3	1
Have a set of disciplinary procedures	96	76	20	4	3	1
Have a set grievance procedure	96	73	23	4	3	1
Rest breaks after working a certain number of hours	94	71	24	6	5	1
Minimum number of weeks <u>paid</u> holiday each year	94	68	26	6	5	1
Have a representative when attending a disciplinary	94	69	24	6	5	1
Pay minimum hourly wage	93	80	13	7	5	2
Discrimination due to <u>age</u>	93	70	22	7	6	1
Time off in emergency	92	61	31	7	5	2
Discrimination due to <u>gender</u>	92	72	20	8	6	2
Discrimination due to <u>disability</u>	91	73	18	8	6	2
Discrimination due to <u>race</u>	91	72	19	9	7	2
Have a set retirement procedure	89	61	28	10	8	2
Limit on working hours	88	56	32	11	9	2
Discrimination due to <u>religion</u>	88	67	21	11	8	3
Allow working up to the age of 65 (or normal retirement age)	88	56	32	11	9	2
Discrimination due to <u>sexual orientation</u>	87	66	20	13	10	3
<u>Paid</u> maternity leave	82	63	19	18	11	7
Request for flexible working (for children)	81	49	32	18	13	6
Additional <u>unpaid</u> maternity leave	77	40	36	23	16	7
<u>Paid</u> paternity leave	76	44	32	24	16	8
<u>Unpaid</u> parental leave	72	32	40	27	20	7

Note: 1% or less of respondents answered 'don't know' to each item and so this category is not shown separately

Source: BIS's FTWS 2008

Base: All respondents that were asked Q2.8 (weighted = 2690; unweighted = 2667)

Table B3.9 Knowledge of the law in detail about employers' obligations

Percentages	<i>Know a lot/ fair amount (Net)</i>	<i>I know a lot</i>	<i>I know a fair amount</i>	<i>Know a little/ hardly anything (Net)</i>	<i>I know a little</i>	<i>I know hardly anything</i>	<i>Weighted base</i>	<i>Un-weighted base</i>
Ensure health and safety	76	29	47	23	21	3	2635	2620
Provide written statement of terms and conditions	65	20	45	35	30	5	2477	2469
Pay minimum hourly wage	63	18	45	37	31	6	2551	2543
Rest breaks after working a certain number of hours	63	19	44	37	31	6	2389	2368
Carry over unused holiday to the next year*	61	25	36	39	28	11	344	320
Minimum number of weeks <u>paid</u> holiday each year	60	17	44	39	33	6	2328	2320
Discrimination due to <u>race</u>	59	18	41	41	34	7	2571	2551
Discrimination due to <u>gender</u>	59	16	44	41	34	7	2492	2477
<u>Paid</u> maternity leave	59	18	41	41	33	8	2495	2474
Not dismiss an employee without fair reason	59	16	43	41	33	7	2445	2438
Have a representative when attending a disciplinary	58	17	41	42	33	9	2190	2189
Discrimination due to <u>disability</u>	55	15	41	45	36	9	2502	2485
Unlimited amount of <u>unpaid</u> holiday each year*	55	17	38	43	36	7	266	246
Have a set of disciplinary procedures	55	15	39	45	36	9	2377	2377
Have a set grievance procedure	55	14	41	45	36	9	2272	2266
Limit on working hours	55	15	40	45	36	9	1705	1695
Additional <u>unpaid</u> maternity leave	54	14	40	46	36	10	1158	1139
Discrimination due to <u>age</u>	54	14	40	46	37	9	2388	2372
Statutory level of sick pay	52	14	38	48	39	8	2223	2212
Discrimination due to <u>religion</u>	51	13	38	49	38	11	2407	2385
<u>Unpaid</u> parental leave	51	14	36	49	37	12	719	696
Discrimination due to <u>sexual orientation</u>	50	14	36	50	38	12	2378	2352
Discrimination due to <u>appearance</u> *	49	12	37	51	40	11	1613	1565
Time off in emergency	49	14	35	51	39	12	1238	1196
<u>Paid</u> paternity leave	48	14	34	51	40	11	1873	1839
<u>Unpaid</u> paternity leave *	46	12	34	54	40	14	879	860
Allow working up to the age of 65 (or normal retirement age)	45	11	34	55	41	13	1837	1829
Request for flexible working (for children)	45	12	33	55	39	16	1448	1441
Request for flexible working (elderly relative)*	43	12	31	57	42	15	951	923
Have a set retirement procedure	39	10	29	61	42	19	1801	1772

Note: * Not an employer obligation. Less than 2% of respondents answered 'don't know' to each item, this category is not shown separately
Source: BIS's FTWS 2008 Base: Respondents who think employers have to do each item from Q2.7

Table B3.10 Estimates of the NMW for 22 to 64 year olds

	Mean	Median	Correct answer (£5.73)	+/- 10% of correct answer	Weighted base	Un-weighted base
All	5.88	5.75	3	68	1711	1714
Region						
England	5.90	5.75	3	67	1470	1497
Wales	5.68	5.65	5	71	82	70
Scotland	5.83	5.75	4	79	158	147
Workplace characteristics						
<i>Ownership</i>						
Public	5.94	5.80	1	62	493	506
Private	5.87	5.73	4	71	1125	1113
Third sector	5.74	5.75	4	68	65	70
<i>Industry (SIC)*</i>						
Energy and water	5.89	5.80	-	57	54	55
Manufacturing	5.87	5.75	5	68	97	102
Construction	6.04	5.80	2	65	82	78
Distribution, hotels and restaurants	5.74	5.73	2	75	267	260
Transport and communication	5.80	5.73	3	77	174	158
Banking, finance and insurance	5.91	5.73	4	66	403	394
Public administration, education and health	5.95	5.80	3	63	478	501
Other services	5.81	5.73	7	71	141	148
<i>Workplace size (employees)</i>						
1-9	5.86	5.75	5	72	320	310
10-24	5.82	5.75	1	71	293	299
25-99	5.85	5.75	3	71	396	406
100-499	5.87	5.75	4	69	356	362
500 or more	6.05	5.80	2	59	287	278
<i>Trade union recognition</i>						
Yes	5.94	5.80	3	64	652	663
No	5.84	5.73	4	71	925	925
<i>Personnel/HR department</i>						
Yes	5.90	5.75	3	68	1267	1276
No	5.82	5.73	4	69	405	401
<i>Equal opportunities policy</i>						
Yes	5.88	5.75	3	68	1399	1414
No	5.99	5.75	3	66	159	153

* Agriculture and fishing category not shown due to small base size (18 unweighted)

Note: Mean/median based on those giving a response

Source: BIS's FTWS 2008

Base: Respondents who thought 22 to 64 year olds were covered by the NMW and thought the NMW varied by age group from Q3.3

Table B3.10 Estimates of the NMW for 22 to 64 year olds (continued)

	Mean	Median	Correct answer (£5.73)	+/- 10% of correct answer	Base (wt.)	Base (unwt.)
Job characteristics						
<i>Occupation (NS-SEC)</i>						
Managerial and professional	5.89	5.75	4	65	647	664
Intermediate	5.97	5.74	2	66	351	344
Routine and manual	5.83	5.75	3	73	690	683
<i>Managerial/ supervisory duties</i>						
Yes	5.88	5.75	3	68	652	664
No	5.88	5.75	4	68	1059	1050
<i>Employment status</i>						
Permanent	5.88	5.75	3	68	1566	1582
Not permanent	5.85	5.75	5	74	144	131
Full time	5.90	5.75	3	68	1260	1257
Part time	5.83	5.75	3	68	442	446
<i>Number of jobs</i>						
One job	5.89	5.75	3	67	1501	1492
More than one	5.90	5.77	10	74	52	58
<i>Equal opportunities training</i>						
Yes	5.89	5.75	4	67	728	731
No	5.87	5.75	3	69	972	971
<i>Trade union/staff assoc. member</i>						
Trade union	5.97	5.80	2	63	422	424
Staff association	5.76	5.73	2	69	77	74
Neither	5.86	5.73	4	70	1142	1151
<i>Length of service (years)</i>						
Up to 1	5.81	5.75	3	76	276	251
1 to 2	5.91	5.75	5	68	317	304
3 to 5	5.87	5.75	5	71	349	345
6 to 15	5.88	5.73	2	64	473	493
More than 15	5.94	5.80	2	65	278	301
<i>Earnings per year (£'000)</i>						
Under 15	5.78	5.73	4	77	613	606
15-24.99	5.94	5.77	3	67	460	458
25-39.99	5.94	5.76	3	63	361	350
40 +	5.94	5.75	2	56	167	181
<i>Earn less than £6.50 per hour</i>						
Yes	5.70	5.70	7	78	305	285
No	5.92	5.75	3	66	1384	1403

See footnote, source and base details on previous page

Table B3.10 Estimates of the NMW for 22 to 64 year olds (continued)

	Mean	Median	Correct answer (£5.73)	+/- 10% of correct answer	Base (wt.)	Base (unwt.)
Individual characteristics						
<i>Age</i>						
16-24	5.77	5.65	2	72	288	219
25-32	5.87	5.75	4	70	313	292
33-40	5.93	5.75	4	62	280	308
41-49	5.93	5.80	3	65	379	390
50 and over	5.88	5.75	4	70	450	505
<i>Sex</i>						
Male	5.93	5.75	3	68	832	798
Female	5.83	5.75	4	68	879	916
<i>Ethnicity</i>						
White	5.86	5.75	3	69	1573	1573
BME/Other	6.10	5.75	4	59	134	137
<i>Country of birth</i>						
UK	5.86	5.75	3	68	1538	1542
Non UK	6.09	5.75	5	66	170	169
<i>Highest educational qualification</i>						
Higher/postgrad	5.90	5.75	2	61	215	231
Undergraduate degree	5.88	5.75	4	68	264	260
HE (below degree)	5.94	5.75	3	63	210	225
A/AS level	5.82	5.74	4	71	334	303
GCSE (A-C)	5.93	5.75	4	72	336	320
GCSE (D-G)	5.84	5.75	2	68	140	146
Other incl. trade apprenticeships	5.88	5.70	1	67	70	69
None of these	5.80	5.75	4	70	137	155
<i>Children in household</i>						
Yes	5.87	5.75	4	67	673	690
No	5.88	5.75	3	69	1035	1021
<i>Longstanding illness/disability</i>						
Yes	5.91	5.75	2	63	218	235
No	5.87	5.75	4	69	1488	1473
<i>Sexual orientation</i>						
Heterosexual	5.88	5.75	3	68	1649	1651
Gay/Lesbian/Bi	5.97	5.75	4	53	39	36
<i>Religion</i>						
Christian	5.87	5.75	4	67	1153	1171
Other/None	5.90	5.75	3	71	549	533
<i>Problems at work</i>						
Any	5.84	5.75	4	73	611	602
None	5.91	5.75	3	66	1093	1106

See footnote, source and base details on previous page.

Annex B Chapter 4 - Bivariate & multivariate tables

Table B4.1 Whether respondents know where to find rights information

Percentages	Yes	No	Weighted base	Unweighted base
All	85	15	2615	2623
Region				
England	84	16	2242	2276
Wales	92	8	126	109
Scotland	86	14	247	238
Workplace characteristics				
<i>Ownership</i>				
Public	91	9	758	784
Private	82	18	1712	1690
Third sector	88	12	107	111
<i>Industry (SIC)*</i>				
Energy and water	88	11	93	88
Manufacturing	85	14	175	176
Construction	74	24	131	129
Distribution, hotels and restaurants	85	15	398	375
Transport and communication	82	17	254	238
Banking, finance and insurance	86	14	582	588
Public admin, education and health	89	11	718	762
Other services	75	25	238	239
<i>Workplace size (employees)</i>				
1-9	79	21	463	461
10-24	84	16	456	447
25-99	87	13	584	614
100-499	87	13	560	548
500 or more	88	12	446	448
<i>Trade union recognition</i>				
Yes	92	8	972	1010
No	80	20	1408	1398
<i>Personnel/HR department</i>				
Yes	88	11	1910	1931
No	74	25	631	620
<i>Equal opportunities policy</i>				
Yes	88	12	2050	2091
No	71	29	312	282

* Agriculture and fishing category not shown due to small base size (28 unweighted)

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. Less than 1% of respondents overall answered 'don't know' to this question and so this category is not shown separately

Source: BIS's FTWS 2008

Base: All respondents that were asked Q4.1

Table B4.1 Whether respondents know where to find rights information (continued)

Percentages	Yes	No	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	90	10	960	1006
Intermediate	83	17	560	548
Routine and manual	80	19	1071	1040
<i>Managerial/ supervisory duties</i>				
Yes	91	8	977	1015
No	81	19	1637	1607
<i>Employment status</i>				
Permanent	86	14	2381	2418
Not permanent	72	28	231	201
<i>Full time</i>				
Full time	86	14	1931	1931
<i>Part time</i>				
Part time	80	20	651	658
<i>One job or more than one</i>				
One job	85	15	2267	2263
More than one	84	16	94	102
<i>Equal opportunities training</i>				
Yes	92	8	1054	1073
No	79	20	1537	1525
<i>Trade union/staff assoc. member</i>				
Trade union	93	7	637	670
Staff association	93	7	121	114
Neither	82	18	1737	1739
<i>Length of service (years)</i>				
Up to 1	80	20	424	380
1 to 2	83	17	487	452
3 to 5	84	15	495	500
6 to 15	85	15	748	772
More than 15	90	9	441	492
<i>Earnings per year (£'000)</i>				
Under 15	78	22	925	894
15-24.99	86	14	640	659
25-39.99	89	11	559	550
40 +	92	7	276	293
<i>Earn less than £6.50 per hour</i>				
Yes	81	19	255	241
No	85	15	1045	1079

See footnote, source and base details on previous page.

Table B4.1 Whether respondents know where to find rights information (continued)

Percentages	Yes	No	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age (years)</i>				
16-24	77	23	421	302
25-32	82	18	450	422
33-40	87	13	497	538
41-49	88	11	575	594
50 and over	86	14	671	767
<i>Sex</i>				
Male	84	16	1341	1281
Female	85	14	1274	1342
<i>Ethnicity</i>				
White	86	14	2340	2363
BME/Other	74	25	273	257
<i>Country of birth</i>				
UK	86	14	2274	2300
Non UK	74	25	337	319
<i>Highest educational qualification</i>				
Higher/postgrad	88	12	332	352
Undergraduate	89	11	410	412
HE (below degree)	91	9	303	321
A/AS level	85	15	507	467
GCSE (A-C)	83	17	478	468
GCSE (D-G)	77	22	208	208
Other incl. trade apprenticeships	77	22	122	125
None of these	79	20	246	260
<i>Children in household</i>				
Yes	88	11	994	1024
No	82	18	1617	1594
<i>Longstanding illness/disability</i>				
Yes	84	16	301	324
No	85	15	2311	2295
<i>Sexual orientation</i>				
Heterosexual	84	15	2536	2545
Gay/Lesbian/Bi	93	7	39	36
<i>Religion</i>				
Christian	86	14	1755	1786
Other/None	82	18	845	820
<i>Problems at work</i>				
Any	81	19	858	852
None	86	13	1731	1745

See footnote, source and base details on previous page.

Table B4.2 Whether respondents know where to find rights information - Single and Multivariate logistic regressions*

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4	Model 5			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.
National and Workplace Characteristics										
Region	2	0.07	0.25	ns						
Ownership (public/private/third sector)	2	<.01	0.28	ns						
Industry (SIC)	8	<.01	0.86	ns						
Workplace size (employees)	4	<.01	0.10	ns						
Trade union recognition	1	<.01	<.01	2.13 ¹						
Personnel/HR department	1	<.01	0.01	1.64 ¹			0.03	1.61 ¹		
Equal opportunities policy	1	<.01	<.01	2.08 ¹		<.01	1.67 ¹			
Job Characteristics										
Occupation (NS-SEC)	2	<.01		0.20	ns					
Managerial/supervisory duties	1	<.01		<.01	2.04 ¹	<.01	1.92 ¹	0.02	1.72 ¹	
Permanent/not permanent	1	<.01		0.02	1.76 ²					
Full time/part time	1	<.01		0.76	ns					
One job or more than one	1	0.72		0.93	ns					
Equal opportunities training	1	<.01		<.01	2.86 ¹	<.01	2.13 ¹			
Member of TU/staff association	1	<.01		<.01	2.33 ¹	<.01	2.56 ¹	0.02	1.85 ¹	
Length of service	4	<.01		0.78	ns					
Earnings per year	3	<.01		0.80	ns					
Individual Characteristics										
Age	4	<.01			0.01	1.49 ³ 1.79 ⁴ 2.00 ⁵		0.02	3.03 ¹¹ 2.13 ¹²	
Sex	1	0.32			0.98	ns				
Ethnicity**	1	<.01			0.15	0.66 ⁶	0.02	0.57 ⁶		
Country of birth	1	<.01			<.01	0.51 ⁷	0.02	0.60 ⁷		
Highest educational qualification	7	<.01			<.01	2.16 ⁸ 2.60 ⁹ 1.88 ¹⁰	0.02	1.79 ⁸ 2.86 ⁹ 2.02 ¹⁰		
Children in household	1	<.01			<.01	1.67 ¹	<.01	1.72 ¹		
Longstanding illness/disability	1	0.67			0.82	ns				
Sexual orientation	1	0.15			0.10	ns				
Religion	7	<.01			0.61	ns				
Problems at work	1	<.01			<.01	0.63 ¹	<.01	0.57 ¹	<.01	0.48 ¹
Knowledge score (continuous)	1	<.01							<.01	1.15 ¹³
Awareness	1	<.01							<.01	3.33 ¹⁴

Note: *Variables as defined in Table B4.1. ** In Model 3, ethnicity became significant in the model at less than the 5 per level after the other non-significant variables were taken out as part of the stepwise selection process

ns = not significant

1 Yes vs. No

2 Permanent vs. not permanent

3 33-40 vs. 16-24

4 41-49 vs. 16-24

5 50 and over vs. 16-24

Source: BIS's FTWS 2008, Q4.1

6 BME/Other vs. White

7 Non-UK vs. UK

8 Higher/postgrad vs. GCSE D-G

9 HE (below degree) vs. GCSE D-G

10 A levels vs. GCSE D-G

11 33-40 vs. 25-32

12 41-49 vs. 25-32

13 Per 1 point increase in knowledge score

14 Informed vs. not informed

Table B4.3 Whether respondents would know where to find out information about their rights if they needed to, classification table

Observed	Predicted		Correct %
	No	Yes	
Model 4			
No	197	95	67.5%
Yes	635	1281	66.9%
Overall percent	37.7%	62.3%	66.9%
Model 5			
No	98	59	62.4%
Yes	283	717	71.7%
Overall percent	32.9%	67.1%	70.4%

Source: BIS's FTWS 2008, Q4.1

Table B4.4 Respondents who have heard of national organisations

Percentages	CAB ^a	HSE ^b	Direct Gov	BERR ^c	EAS ^d	NMW helpline	GLA ^e	WIS ^f	Weighted base	Un-weighted base
All	96	88	57	43	30	24	13	8	2615	2623
Region										
England	95	87	58	42	29	23	14	8	2242	2276
Wales	99	92	54	44	29	34	9	2	126	109
Scotland	97	92	48	52	38	26	12	11	247	238
Workplace characteristics										
<i>Ownership</i>										
Public	98	90	60	51	35	26	17	9	758	784
Private	94	87	56	41	28	23	11	8	1712	1690
Third sector	98	91	62	37	30	28	19	5	107	111
<i>Industry (SIC)*</i>										
Energy and water	95	93	53	55	27	20	22	11	93	88
Manufacturing	96	93	52	51	22	19	9	5	175	176
Construction	93	91	44	41	29	23	10	7	131	129
Dist./hotels/rest.	93	88	57	35	26	20	10	7	398	375
Trans/comm.	93	75	57	36	27	32	14	8	254	238
Banking, finance & insurance	96	89	67	54	30	26	15	10	582	588
Public admin, educ. & health	98	89	57	44	35	24	15	8	718	762
Other services	97	86	47	33	29	24	10	10	238	239
<i>Workplace size (employees)</i>										
1-9	96	88	54	39	31	25	10	7	463	461
10-24	96	87	54	41	32	26	12	7	456	447
25-99	96	86	59	45	29	24	14	9	584	614
100-499	96	90	59	44	27	24	15	8	560	548
500 or more	95	91	61	51	31	23	17	11	446	448
<i>Trade union recognition</i>										
Yes	99	93	60	52	34	27	17	8	972	1010
No	94	85	55	40	27	24	12	8	1408	1398
<i>Personnel/HR department</i>										
Yes	97	91	60	47	32	24	15	9	1910	1931
No	94	81	50	36	26	26	9	6	631	620
<i>Equal opportunities policy</i>										
Yes	97	91	61	46	32	25	14	8	2050	2091
No	90	80	45	36	20	26	9	9	312	282

* Agriculture and fishing category not shown due to small base size (28 unweighted)

a Citizens Advice Bureau; b Health and Safety Executive; c Department for Business Enterprise and Regulatory Reform; d Employment Agency Standards Inspectorate; e Gangmasters Licensing Authority; f Worker Information Service

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures.

Source: BIS's FTWS 2008

Base: All respondents that were asked Q4.10a

**Table B4.4 Respondents who have heard of national organisations
(continued)**

Percentages	CAB ^a	HSE ^b	Direct Gov	BERR ^c	EAS ^d	NMW helpline	GLA ^e	WIS ^f	Base (wt.)	Base (unwt.)
Job characteristics										
<i>Occupation (NS-SEC)</i>										
Managerial and professional	97	92	67	56	31	24	21	7	960	1006
Intermediate	95	86	61	43	29	26	10	8	560	548
Routine and manual	95	85	45	32	29	23	8	10	1071	1040
<i>Managerial/ supervisory duties</i>										
Yes	97	95	64	56	32	26	18	8	977	1015
No	95	84	53	36	28	23	10	9	1637	1607
<i>Employment status</i>										
Permanent	96	89	57	45	30	24	13	8	2381	2418
Not permanent	94	73	53	31	26	26	12	9	231	201
Full time	96	89	59	47	30	24	15	9	1931	1931
Part time	94	83	50	33	29	24	9	6	651	658
<i>One job or more than one</i>										
One job	95	88	57	44	30	23	13	8	2267	2263
More than one	97	88	64	40	37	23	13	4	94	102
<i>Equal opportunities training</i>										
Yes	97	92	64	49	35	27	17	10	1054	1073
No	95	85	53	40	26	22	11	7	1537	1525
<i>Trade union/staff assoc. member</i>										
Trade union	98	93	58	52	32	26	19	9	637	670
Staff association	100	97	68	52	35	26	15	18	121	114
Neither	95	87	58	42	29	23	12	7	1737	1739
<i>Length of service (years)</i>										
Up to 1	91	80	59	33	27	22	7	11	424	380
1 to 2	92	84	62	40	27	27	12	9	487	452
3 to 5	97	87	56	46	29	24	12	8	495	500
6 to 15	97	90	56	44	31	21	14	8	748	772
More than 15	99	95	53	51	35	29	19	7	441	492
<i>Earnings per year (£'000)</i>										
Under 15	94	80	48	30	30	22	8	8	925	894
15-24.99	97	91	62	47	29	28	13	9	640	659
25-39.99	97	93	63	53	31	22	17	6	559	550
40+	96	95	70	66	31	23	24	9	276	293
<i>Earn less than £6.50 per hour</i>										
Yes	89	77	45	29	25	24	6	8	255	241
No	96	91	57	47	30	20	15	7	1045	1079

See footnote, source and base details on previous page.

**Table B4.4 Respondents who have heard of national organisations
(continued)**

Percentages	CAB ^a	HSE ^b	Direct Gov	BERR ^c	EAS ^d	NMW helpline	GLA ^e	WIS ^f	Base (wt.)	Base (unwt.)
Individual characteristics										
<i>Age (years)</i>										
16-24	91	74	60	22	30	24	4	12	421	302
25-32	92	82	68	36	28	21	6	10	450	422
33-40	97	91	64	51	29	20	11	8	497	538
41-49	98	91	59	50	31	27	16	8	575	594
50 and over	99	94	41	50	29	27	23	5	671	767
<i>Sex</i>										
Male	95	91	57	46	28	23	16	9	1341	1281
Female	96	85	57	41	31	26	11	7	1274	1342
<i>Ethnicity</i>										
White	97	89	58	44	30	23	14	7	2340	2363
BME/Other	85	76	52	38	29	31	9	16	273	257
<i>Country of birth</i>										
UK	98	89	58	44	31	24	14	7	2274	2300
Non-UK	78	78	49	36	24	24	9	16	337	319
<i>Highest educational qualification</i>										
Higher/postgrad	92	88	68	60	28	24	22	12	332	352
Undergraduate	97	88	69	51	24	21	17	6	410	412
HE (below degree)	96	91	60	47	38	30	16	9	303	321
A/AS level	96	85	60	36	31	20	10	5	507	467
GCSE (A-C)	98	91	55	38	32	27	9	10	478	468
GCSE (D-G)	97	85	45	45	35	27	9	8	208	208
Other incl. trade apprenticeships	93	92	47	42	30	29	15	6	122	125
None of these	93	82	30	27	22	22	7	11	246	260
<i>Children in household</i>										
Yes	97	91	61	48	30	24	13	8	994	1024
No	95	86	54	41	30	24	13	9	1617	1594
<i>Longstanding illness/disability</i>										
Yes	99	95	49	45	28	27	18	9	301	324
No	95	87	58	43	30	24	12	8	2311	2295
<i>Sexual orientation</i>										
Heterosexual	96	88	57	43	30	24	13	8	2536	2545
Gay/Lesbian/Bi	92	86	75	45	33	16	14	8	39	36
<i>Religion</i>										
Christian	97	90	56	45	30	24	14	8	1755	1786
Other/None	94	84	58	40	28	24	12	9	845	820
<i>Problems at work</i>										
Any	97	86	58	44	29	23	14	7	858	852
None	95	89	57	43	30	25	13	9	1731	1745

See footnote, source and base details on previous page.

Table B4.5 Respondents who would not know where to find NMW information

Percentages	Would not know where to go to find out about NMW	Weighted base	Unweighted base
All	11	2615	2623
Region			
England	11	2242	2276
Wales	9	126	109
Scotland	10	247	238
Workplace characteristics			
<i>Ownership</i>			
Public	10	758	784
Private	11	1712	1690
Third sector	13	107	111
<i>Industry (SIC)*</i>			
Agriculture and fishing	21	27	28
Energy and water	12	93	88
Manufacturing	8	175	176
Construction	16	131	129
Distribution, hotels and restaurants	11	398	375
Transport and communication	14	254	238
Banking, finance and insurance	9	582	588
Public administration, education and health	9	718	762
Other services	11	238	239
<i>Workplace size (employees)</i>			
1-9	14	463	461
10-24	11	456	447
25-99	8	584	614
100-499	10	560	548
500 or more	9	446	448
<i>Trade union recognition</i>			
Yes	8	972	1010
No	12	1408	1398
<i>Personnel/HR department</i>			
Yes	9	1910	1931
No	14	631	620
<i>Equal opportunities policy</i>			
Yes	8	2050	2091
No	21	312	282

* Agriculture and fishing category not shown due to small base size (28 unweighted)

Source: BIS's FTWS 2008

Base: All respondents that were asked Q4.9

Table B4.5 Respondents who would not know where to find NMW information (continued)

Percentages	Would not know where to go to find out about NMW	Base (wt.)	Base (unwt.)
Job characteristics			
<i>Occupation (NS-SEC)</i>			
Managerial and professional	7	960	1006
Intermediate	12	560	548
Routine and manual	13	1071	1040
<i>Managerial/ supervisory duties</i>			
Yes	7	977	1015
No	13	1637	1607
<i>Employment status</i>			
Permanent	10	2381	2418
Not permanent	20	231	201
Full time	9	1931	1931
Part time	13	651	658
<i>One job or more than one</i>			
One job	11	2267	2263
More than one	5	94	102
<i>Equal opportunities training</i>			
Yes	8	1054	1073
No	12	1537	1525
<i>Trade union/staff assoc. member</i>			
Trade union	8	637	670
Staff association	13	121	114
Neither	11	1737	1739
<i>Length of service (years)</i>			
Up to 1	13	424	380
1 to 2	11	487	452
3 to 5	11	495	500
6 to 15	10	748	772
More than 15	7	441	492
<i>Earnings per year (£'000)</i>			
Under 15	12	925	894
15-24.99	9	640	659
25-39.99	6	559	550
40 +	7	276	293
<i>Earn less than £6.50 per hour</i>			
Yes	10	255	241
No	10	1045	1079

See footnote, source and base details on previous page.

Table B4.5 Respondents who would not know where to find NMW information (continued)

Percentages	Would not know where to go to find out about NMW	Base (wt.)	Base (unwt.)
Individual characteristics			
<i>Age (years)</i>			
16-24	16	421	302
25-32	10	450	422
33-40	9	497	538
41-49	8	575	594
50 and over	11	671	767
<i>Sex</i>			
Male	11	1341	1281
Female	10	1274	1342
<i>Ethnicity</i>			
White	10	2340	2363
BME/Other	19	273	257
<i>Country of birth</i>			
UK	10	2274	2300
Non UK	16	337	319
<i>Highest educational qualification</i>			
Higher/postgrad	8	332	352
Undergraduate	8	410	412
HE (below degree)	10	303	321
A/AS level	6	507	467
GCSE (A-C)	11	478	468
GCSE (D-G)	14	208	208
Other incl. trade apprenticeships	13	123	125
None of these	20	246	260
<i>Children in household</i>			
Yes	9	994	1024
No	11	1617	1594
<i>Longstanding illness/disability</i>			
Yes	10	301	324
No	11	2311	2295
<i>Sexual orientation</i>			
Heterosexual	11	2536	2545
Gay/Lesbian/Bi	-	39	36
<i>Religion</i>			
Christian	9	1755	1786
Other/None	13	845	820
Other characteristics			
<i>Problems at work</i>			
Any	8	858	852
None	12	1731	1745

See footnote, source and base details on previous page.

Annex B Chapter 5 - Bivariate & multivariate tables

Table B5.1 Percentage reporting any problem at work

Percentages	Any problem*	No problem	Weighted base	Unweighted base
All	34	66	4010	4010
Region				
England	34	66	3461	3509
Wales	44	56	185	160
Scotland	30	70	364	341
Workplace characteristics				
<i>Ownership</i>				
Public	35	65	1143	1165
Private	33	67	2653	2626
Third sector	46	54	152	159
<i>Industry (SIC)</i>				
Agriculture and fishing	26	74	42	45
Energy and water	32	68	135	130
Manufacturing	26	74	257	261
Construction	26	74	201	198
Distribution, hotels and restaurants	34	66	642	615
Transport and communication	34	66	388	361
Banking, finance and insurance	33	67	906	892
Public administration, education and health	38	62	1090	1151
Other services	35	65	350	357
<i>Workplace size (employees)</i>				
1-9	32	68	720	712
10-24	34	66	695	692
25-99	33	67	900	933
100-499	34	66	873	861
500 or more	35	65	674	663
<i>Trade union recognition</i>				
Yes	34	66	1514	1543
No	33	67	2140	2145
<i>Personnel/HR department</i>				
Yes	33	67	2945	2956
No	36	64	956	947
<i>Equal opportunities policy</i>				
Yes	33	67	3188	3213
No	38	62	441	417

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. 1 per cent of respondents overall answered 'don't know' to this question and so this category is not shown separately

* Problems included in this category are: Employment rights problems (last 5 years); Unfair treatment (last 2 years); Discrimination (last 2 years); Sex-based harassment (last 2 years); Bullying & harassment (last 2 years); Other problem with a severe impact on physical or psychological health/ well-being (last 5 years); Other problem to do with rights at work (last 5 years).

Source: BIS's FTWS 2008

Base: All respondents asked Q5.1, Q5.3b, Q5.4, Q5.5, Q5.6, Q5.7

Table B5.1 Percentage reporting any problem at work (continued)

Percentages	Any problem*	No problem	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	31	69	1481	1519
Intermediate	33	67	834	824
Routine and manual	36	64	1650	1618
<i>Managerial/ supervisory duties</i>				
Yes	32	68	1510	1536
No	35	65	2499	2473
<i>Employment status</i>				
Permanent	33	67	3668	3701
Not permanent	40	60	338	304
Full time	33	67	2969	2946
Part time	36	64	996	1017
<i>Current or former job</i>				
Current	32	68	3694	3658
Former	50	50	316	352
<i>Number of jobs</i>				
One job	32	68	3495	3463
More than one	47	53	137	148
<i>Equal opportunities training</i>				
Yes	33	67	1640	1639
No	34	66	2335	2333
<i>Trade union/staff assoc. member</i>				
Trade union	35	65	975	1003
Staff association	34	66	193	183
Neither	33	67	2658	2670
<i>Length of service (years)</i>				
Up to 1	41	59	610	559
1 to 2	37	63	750	702
3 to 5	30	70	790	796
6 to 15	33	67	1161	1179
More than 15	30	70	664	730
<i>Earnings per year (£'000)</i>				
Under 15	38	62	1399	1372
15-24.99	40	60	1015	1021
25-39.99	27	73	844	826
40 +	28	72	431	449
<i>Earn less than £6.50 per hour</i>				
Yes	39	61	462	447
No	33	67	2213	2237

See footnote, source and base details on previous page.

Table B5.1 Percentage reporting any problem at work (continued)

Percentages	Any problem*	No problem	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	38	62	614	454
25-32	34	66	742	685
33-40	34	66	740	799
41-49	33	67	895	917
50 and over	32	68	1019	1155
<i>Sex</i>				
Male	31	69	2051	1954
Female	36	64	1959	2056
<i>Ethnicity</i>				
White	34	66	3592	3620
BME/Other	31	69	411	381
<i>Country of birth</i>				
UK	34	66	3481	3521
Non UK	31	69	525	484
<i>Highest educational qualification</i>				
Higher/postgrad	30	70	500	520
Undergraduate degree	37	63	614	605
HE (below degree)	33	67	471	497
A/AS level	39	61	757	700
GCSE (A-C)	31	69	760	749
GCSE (D-G)	32	68	344	344
Other incl. trade apprenticeships	30	70	184	182
None of these	33	67	365	397
<i>Children in household</i>				
Yes	35	65	1562	1599
No	33	67	2441	2402
<i>Longstanding illness/disability</i>				
Yes	49	51	474	506
No	32	68	3529	3495
<i>Sexual orientation</i>				
Heterosexual	33	67	3873	3877
Gay/Lesbian/Bi	51	49	74	67
<i>Religion</i>				
Christian	33	67	2705	2760
Other/None	36	64	1279	1223

See footnote, source and base details on previous page.

Annex B Chapter 7 - Bivariate & multivariate tables

Table B7.1 Problems with employment rights in last 5 years

	Reporting a problem (per cent)	No. of separate problems*	Weighted base	Unweighted base
All	29	2.4	4010	4010
Region				
England	29	2.5	3461	3509
Wales	40	1.6	185	160
Scotland	28	1.7	364	341
Workplace characteristics				
<i>Ownership</i>				
Public	30	2.4	1143	1165
Private	28	2.4	2653	2626
Third sector	38	1.7	152	159
<i>Industry (SIC)</i>				
Agriculture and fishing	23	1.5	42	45
Energy and water	26	2.2	135	130
Manufacturing	21	2.2	257	261
Construction	22	2.3	201	198
Distribution, hotels and restaurants	31	2.6	642	615
Transport and communication	30	2.1	388	361
Banking, finance and insurance	27	2.3	906	892
Public administration, education and health	33	2.6	1090	1151
Other services	31	2.1	350	357
<i>Workplace size (employees)</i>				
1-9	28	2.5	720	712
10-24	31	1.9	695	692
25-99	30	2.2	900	933
100-499	28	2.4	873	861
500 or more	30	2.9	674	663
<i>Trade union recognition</i>				
Yes	29	2.4	1514	1543
No	29	2.4	2140	2145
<i>Personnel/HR department</i>				
Yes	28	2.3	2945	2956
No	31	2.5	956	947
<i>Equal opportunities policy</i>				
Yes	28	2.3	3188	3213
No	35	2.8	441	417

* Mean number of problems based on those experiencing at least one problem

Source: BIS's FTWS 2008

Base: All respondents asked Q5.1, Q5.3

Table B7.1 Problems with employment rights in last 5 years (continued)

	Reporting a problem (per cent)	No. of separate problems*	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	26	2.1	1481	1519
Intermediate	29	2.8	834	824
Routine and manual	32	2.4	1650	1618
<i>Managerial/ supervisory duties</i>				
Yes	27	2.4	1510	1536
No	31	2.3	2499	2473
<i>Employment status</i>				
Permanent	28	2.4	3668	3701
Not permanent	38	2.6	338	304
Full time	29	2.5	2969	2946
Part time	31	2.2	990	1017
<i>Current or former job</i>				
Current	28	2.3	3694	3658
Former	45	3.1	316	352
<i>Number of jobs</i>				
One job	27	2.2	3495	3463
More than one	41	3.1	137	148
<i>Equal opportunities training</i>				
Yes	28	2.4	1640	1639
No	30	2.4	2335	2333
<i>Trade union/staff assoc. member</i>				
Trade union	30	3.1	975	1003
Staff association	31	1.8	193	183
Neither	29	2.1	2658	2670
<i>Length of service (years)</i>				
Up to 1	36	2.3	610	559
1 to 2	32	2.3	750	702
3 to 5	27	3.0	790	796
6 to 15	28	2.3	1161	1179
More than 15	25	2.0	664	730
<i>Earnings per year (£'000)</i>				
Under 15	33	2.5	1399	1372
15-24.99	35	2.1	1015	1021
25-39.99	22	3.0	844	826
40 +	22	1.9	431	449
<i>Earn less than £6.50 per hour</i>				
Yes	35	2.6	462	447
No	29	2.5	2213	2237

See footnote, source and base details on previous page

Table B7.1 Problems with employment rights in last 5 years (continued)

	Reporting a problem (per cent)	No. of separate problems*	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	34	2.5	614	454
25-32	30	3.2	742	685
33-40	29	2.4	740	799
41-49	29	2.3	895	917
50 and over	27	1.7	1019	1155
<i>Sex</i>				
Male	27	2.4	2051	1954
Female	32	2.4	1959	2056
<i>Ethnicity</i>				
White	30	2.4	3592	3620
BME/Other	22	2.2	411	381
<i>Country of birth</i>				
UK	30	2.4	3481	3521
Non UK	23	2.3	525	484
<i>Highest educational qualification</i>				
Higher/postgrad	25	1.8	500	520
Undergraduate degree	31	2.2	614	650
HE (below degree)	29	2.0	471	497
A/AS level	33	3.3	757	700
GCSE (A-C)	28	2.4	760	749
GCSE (D-G)	27	2.1	344	344
Other incl. trade apprenticeships	25	2.2	184	182
None of these	31	2.0	365	397
<i>Children in household</i>				
Yes	30	2.4	1562	1599
No	28	2.4	2441	2402
<i>Longstanding illness/disability</i>				
Yes	44	2.4	474	506
No	27	2.4	3529	3495
<i>Sexual orientation</i>				
Heterosexual	29	2.4	3873	3877
Gay/Lesbian/Bi	44	2.0	74	67
<i>Religion</i>				
Christian	28	2.3	2705	2760
Other/None	31	2.6	1279	1223
<i>Knowledge score (discrete) / Sufficiency of knowledge</i>				
High score/knowledgeable	20	3.0	650	654
High score/Don't know enough	39	2.2	351	356
Low score/Don't know enough	44	2.3	713	713
Low score/knowledgeable	22	1.9	960	927
Any problems at work	87	2.4	1343	1327

See footnote, source and base details on previous page.

Table B7.2 Experiencing other serious problems at work

Percentages	Other problems which have			<i>Weighted base</i>	<i>Unweighted base</i>
	to do with rights	impacted health	impacted finances		
All	3	5	4	4010	4010
Region					
England	3	6	4	3461	3509
Wales	3	6	2	185	160
Scotland	2	3	2	364	341
Workplace characteristics					
<i>Ownership</i>					
Public	3	7	2	1143	1165
Private	2	5	4	2653	2626
Third sector	3	7	3	152	159
<i>Industry (SIC)</i>					
Agriculture and fishing	4	3	-	42	45
Energy and water	5	5	5	135	130
Manufacturing	2	5	3	257	261
Construction	2	4	2	201	198
Distribution, hotels and restaurants	2	4	4	642	615
Transport and communication	3	4	4	388	361
Banking, finance and insurance	2	5	5	906	892
Public administration, education and health	3	7	3	1090	1151
Other services	2	4	4	350	357
<i>Workplace size (employees)</i>					
1-9	3	6	5	720	712
10-24	3	5	4	695	692
25-99	2	6	3	900	933
100-499	2	5	3	873	861
500 or more	3	5	4	674	663
<i>Trade union recognition</i>					
Yes	2	7	3	1514	1543
No	3	5	5	2140	2145
<i>Personnel/HR department</i>					
Yes	2	5	3	2945	2956
No	3	6	5	956	947
<i>Equal opportunities policy</i>					
Yes	2	5	3	3188	3213
No	4	8	8	441	417

Source: BIS's FTWS 2008

Base: All respondents asked Q5.8

Table B7.2 Experiencing other serious problems at work (continued)

Percentages	Other problems which have			Base (wt.)	Base (unwt.)
	to do with rights	impacted health	impacted finances		
Job characteristics					
<i>Occupation (NS-SEC)</i>					
Managerial and professional	2	6	3	1481	1519
Intermediate	2	6	4	834	824
Routine and manual	4	5	4	1650	1618
<i>Managerial/ supervisory duties</i>					
Yes	2	6	4	1510	1536
No	3	5	4	2499	2473
<i>Employment status</i>					
Permanent	3	5	4	3668	3701
Not permanent	3	6	5	338	304
Full time	2	5	4	2969	2946
Part time	3	6	3	996	1017
<i>Current or former job</i>					
Current	2	5	3	3694	3658
Former	6	10	11	316	352
<i>Number of jobs</i>					
One job	2	5	3	3495	3463
More than one	5	11	8	137	148
<i>Equal opportunities training</i>					
Yes	3	6	3	1640	1639
No	3	5	4	2335	2333
<i>Trade union/staff assoc. member</i>					
Trade union	3	8	3	975	1003
Staff association	2	7	3	193	183
Neither	3	5	4	2658	2670
<i>Length of service (years)</i>					
Up to 1	3	6	5	610	559
1 to 2	3	6	4	750	702
3 to 5	2	4	3	790	796
6 to 15	3	5	4	1161	1179
More than 15	2	6	3	664	730
<i>Earnings per year (£'000)</i>					
Under 15	3	5	4	1399	1372
15-24.99	3	7	5	1015	1021
25-39.99	2	5	2	844	826
40 +	1	7	2	431	449
<i>Earn less than £6.50 per hour</i>					
Yes	3	5	6	462	447
No	2	5	3	2213	2237

See footnote, source and base details on previous page

Table B7.2 Experiencing other serious problems at work (continued)

Percentages	Other problems which have impacted			Base (wt.)	Base (unwt.)
	rights	health	finances		
Individual characteristics					
<i>Age</i>					
16-24	3	2	4	614	454
25-32	3	5	4	742	685
33-40	2	6	3	740	799
41-49	3	7	5	895	917
50 and over	2	6	3	1019	1155
<i>Sex</i>					
Male	3	5	4	2051	1954
Female	3	6	4	1959	2056
<i>Ethnicity</i>					
White	2	5	4	3592	3620
BME/Other	4	5	5	411	381
<i>Country of birth</i>					
UK	3	6	4	3481	3521
Non UK	3	4	4	525	484
<i>Highest educational qualification</i>					
Higher/postgrad	2	5	3	500	520
Undergraduate degree	2	5	3	614	605
HE (below degree)	1	7	4	471	497
A/AS level	3	5	4	757	700
GCSE (A-C)	3	6	4	760	749
GCSE (D-G)	6	8	7	344	344
Other incl. trade apprenticeships	1	5	2	184	182
None of these	2	3	3	365	397
<i>Children in household</i>					
Yes	2	6	4	1562	1599
No	3	5	4	2441	2402
<i>Longstanding illness/disability</i>					
Yes	6	13	8	474	506
No	2	4	3	3529	3495
<i>Sexual orientation</i>					
Heterosexual	3	5	4	3873	3877
Gay/Lesbian/Bi	5	13	5	74	67
<i>Religion</i>					
Christian	2	6	4	2705	2760
Other/None	3	4	4	1279	1223
<i>Knowledge score (discrete) / Sufficiency of knowledge</i>					
High score/knowledgeable	1	5	2	650	654
High score/Don't know enough	4	8	5	351	356
Low score/Don't know enough	5	8	5	713	713
Low score/knowledgeable	1	3	2	960	927
Any problems at work	8	16	10	1343	1327

See footnote, source and base details on previous page.

Table B7.3 Any specific employment problems (current or most recent employer) Single and multivariate logistic regressions*

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.20	0.46	ns					
Ownership (public/private/third sector)	2	<.01	0.24	ns					
Industry (SIC)	8	<.01	0.03	1.72 ²					
Workplace size (employees)	4	0.27	0.28	ns					
Trade union recognition	1	<.01	0.02	1.30 ¹					
Personnel/HR department	1	0.65	0.24	ns					
Equal opportunities policy	1	<.01	<.01	0.58 ¹					
Job Characteristics									
Occupation (NS-SEC)	2	0.11		0.98					
Managerial/supervisory duties	1	0.58		0.58					
Permanent/not permanent	1	0.22		0.27					
Full time/part time	1	0.44		0.72					
Current or former job	1	<.01		-					
Number of jobs	1	<.01		0.01	1.67 ³				
Equal opportunities training	1	0.91		0.92					
Member of TU or staff association	1	<.01		<.01	1.53 ¹		<.01	1.66 ¹	
Length of service (years)	4	0.75		0.23					
Earnings per year (£'000)	3	<.01		<.01	1.40 ⁴		<.01	1.52 ⁴	
					1.44 ⁵			1.69 ⁵	
					1.55 ⁶			1.46 ⁶	
					1.60 ⁷			1.63 ⁷	
Individual Characteristics									
Age	4	0.87			0.96				
Sex	1	0.01			<.01	1.38 ⁸			
Ethnicity	1	0.04			0.64				
Country of birth	1	<.01			0.36				
Highest educational qualification	7	0.94			0.97				
Children in household	1	0.07			0.24				
Longstanding illness/disability	1	<.01			<.01	2.00 ¹	<.01	1.96 ¹	
Sexual orientation	1	0.08			0.10				
Religion	7	0.01			0.21				
Knowledge score (discrete) / Sufficiency of knowledge	3	<.01			<.01	3.03 ⁹	<.01	3.37 ⁹	
						2.48 ¹⁰		2.51 ¹⁰	
								3.50 ¹¹	
								2.63 ¹²	
*Variables as defined in Table B1			4 Under 15 vs. 25 to 39.99			10 High score/Don't know enough vs. High score/Know enough			
ns = not significant			5 Under 15 vs. 40+			11 Low score/Don't know enough vs. Low score/Know enough			
1 Yes vs. No			6 15 to 24.99 vs. 25 to 39.99			12 High score/Don't know enough vs. Low score/Know enough			
2 Transport and communication vs. Construction			7 15 to 24.99 vs. 40+						
3 More than one vs. one			8 Female vs. Male						
			9 Low score/Don't know enough vs. High score/Know enough						
Source: BIS's FTWS 2008 Q5.1, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8									

Table B7.4 Any specific employment problems (current or most recent employer), classification table

Observed	Predicted		Correct %
	No	Yes	
No	1102	620	64.0%
Yes	195	367	65.3%
Overall percent	56.8%	43.2%	64.3%

Source: BIS's FTWS 2008 Q5.1, Q5.4, Q5.5, Q5.6, Q5.7, Q5.8

Table B7.5 Impact of the most serious problem

Percentages	All	Most serious problem involves				
		Employment rights	Impact on health or wellbeing	Unfair treatment	Discrimination	Bullying and harassment
Did you leave your employer as a direct result of this problem or dispute?*						
Yes	50	46	66	72	64	78
No	49	54	34	27	36	22
<i>Weighted base</i>	476	342	59	96	47	54
<i>Unweighted base</i>	489	354	66	104	48	54
How did you leave your employer?*						
I resigned/left	66	59	77	61	72	74
I was made redundant	10	12	3	16	9	12
I was dismissed	19	24	15	16	13	10
Retired	1	-	-	-	3	2
Retired on ill health	1	1	3	1	3	2
Compromise agreement negotiated	1	2	-	3	-	-
Others	4	3	3	3	-	-
<i>Weighted base</i>	239	160	39	70	32	42
<i>Unweighted base</i>	250	170	45	70	30	43
Did the problem impact on your financial wellbeing?***						
Yes – severe hardship	9	9	15	12	13	11
Yes – moderate difficulties	14	16	14	15	21	14
Yes – minor difficulties	15	15	12	19	13	15
No	62	59	59	54	53	60
Did the problem impact on your physical health and wellbeing?***						
Yes –severe impact	9	7	30	12	19	14
Yes –moderate impact	17	15	32	19	24	28
Yes –minor impact	14	13	16	15	10	13
No	60	64	21	53	47	46
Did the problem impact on your psychological health and wellbeing?***						
Yes – severe impact	11	9	37	17	22	20
Yes –moderate impact	18	15	38	22	33	28
Yes –minor impact	17	16	13	21	17	28
No	53	59	12	40	29	24
Did the problem impact on your relationship with partner/other close family members?***						
Yes –severe impact	6	5	20	8	11	8
Yes –moderate impact	12	12	25	12	17	19
Yes –minor impact	12	11	17	14	15	17
No	70	72	37	65	56	56
<i>Weighted base</i>	1313	939	151	275	144	166
<i>Unweighted base</i>	1300	937	160	266	143	163

Source: BIS's FTWS 2008 Q6.35a, Q6.35b, Q6.36, Q6.38, Q6.40, Q6.42

Note: * Base= Respondents whose most serious problem was with a previous employer **Base= Respondents who left their employer as a result of the most serious problem ***Base= Respondents with a most serious problem

Annex B Chapter 8 - Bivariate & multivariate tables

Table B8.1 Experience of unfair treatment, discrimination, bullying or harassment or sexual harassment in the workplace

Percentages	Unfair treatment	Discrimination	Bullying or harassment	Sexual harassment	Weighted base	Un-weighted base
All	13	7	7	1	4010	4010
Region						
England	14	8	7	1	3461	3509
Wales	10	4	7	*	185	160
Scotland	12	3	5	*	364	341
Workplace characteristics						
<i>Ownership</i>						
Public	13	8	9	1	1143	1165
Private	13	7	6	1	2653	2626
Third sector	17	7	12	1	152	159
<i>Industry (SIC)</i>						
Agriculture and fishing	5	1	-	-	42	45
Energy and water	9	5	8	2	135	130
Manufacturing	10	8	4	*	257	261
Construction	13	5	4	*	201	198
Distribution, hotels and restaurants	12	7	5	1	642	615
Transport and communication	15	7	6	1	388	361
Banking, finance and insurance	15	6	7	2	906	892
Public administration, education and health	14	10	10	1	1090	1151
Other services	16	8	9	1	350	357
<i>Workplace size (employees)</i>						
1-9	13	8	7	1	720	712
10-24	12	6	7	1	695	692
25-99	14	7	7	1	900	933
100-499	13	7	7	1	873	861
500 or more	15	9	9	1	674	663
<i>Trade union recognition</i>						
Yes	12	7	8	1	1514	1543
No	14	8	7	1	2140	2145
<i>Personnel/HR department</i>						
Yes	13	7	7	1	2945	2956
No	15	8	7	1	956	947
<i>Equal opportunities policy</i>						
Yes	13	7	7	1	3188	3213
No	19	11	8	*	442	417

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures.

*=less than 0.5%

Source: BIS's FTWS 2008

Base: All respondents asked Q5.4, Q5.5, Q5.6 & Q5.7

Table B8.1 Experience of unfair treatment, discrimination, bullying or harassment or sexual harassment in the workplace (continued)

Percentages	Unfair treatment	Discrimination	Bullying or harassment	Sexual harassment	Base (wt.)	Base (unwt.)
Job characteristics						
<i>Occupation (NS-SEC)</i>						
Managerial and professional	11	6	8	1	1481	1519
Intermediate	14	8	7	1	834	824
Routine and manual	15	8	7	1	1650	1618
<i>Managerial/ supervisory duties</i>						
Yes	11	6	8	1	1510	1536
No	15	8	7	1	2499	2473
<i>Employment status</i>						
Permanent	13	7	7	1	3668	3701
Not permanent	14	8	7	2	338	304
Full time	13	7	8	1	2969	2946
Part time	15	9	6	1	990	1017
<i>Current or former job</i>						
Current	13	7	7	1	3694	3658
Former	19	13	9	2	316	352
<i>Number of jobs</i>						
One job	12	16	7	1	3495	3463
More than one	26	19	14	-	137	148
<i>Equal opportunities training</i>						
Yes	13	8	8	1	1640	1639
No	14	7	7	1	2335	2333
<i>Trade union/staff assoc. member</i>						
Trade union	14	8	10	1	975	1003
Staff association	13	6	10	2	193	183
Neither	13	7	6	1	2658	2670
<i>Length of service (years)</i>						
Up to 1	17	10	9	2	610	559
1 to 2	15	7	7	1	750	702
3 to 5	10	5	6	1	790	796
6 to 15	14	8	7	1	1161	1179
More than 15	11	6	8	1	664	730
<i>Earnings per year (£'000)</i>						
Under 15	16	9	7	1	1399	1372
15-24.99	15	8	9	1	1015	1021
25-39.99	10	5	7	1	844	826
40 +	12	6	8	1	431	449
<i>Earn less than £6.50 per hour</i>						
Yes	18	9	8	2	462	447
No	13	7	7	1	2213	2237

See footnote, source and base details on previous page.

Table B8.1 Experience of unfair treatment, ... (continued)

Percentages	Unfair treatment	Discrimination	Bullying or harassment	Sexual harassment	Base (wt.)	Base (unwt.)
<i>Individual characteristics</i>						
<i>Age</i>						
16-24	17	10	5	1	614	454
25-32	14	8	7	2	742	685
33-40	14	8	7	2	740	799
41-49	12	6	8	1	895	917
50 and over	11	6	8	1	1019	1155
<i>Sex</i>						
Male	11	6	6	1	2051	1954
Female	16	9	9	2	1959	2056
<i>Ethnicity</i>						
White	13	7	7	1	3592	3620
BME/Other	15	12	8	2	411	381
<i>Country of birth</i>						
UK	13	7	7	1	3481	3521
Non UK	13	10	7	2	525	484
<i>Highest educational qualification</i>						
Higher/postgrad	12	6	8	1	500	520
Undergraduate degree	13	6	8	3	614	650
HE (below degree)	13	8	8	1	471	497
A/AS level	17	10	7	1	757	700
GCSE (A-C)	12	6	6	1	760	749
GCSE (D-G)	13	9	8	*	344	344
Other incl. trade apprenticeships	11	3	5	-	184	182
None of these	14	8	7	2	365	397
<i>Children in household</i>						
Yes	14	7	8	1	1562	1599
No	13	8	7	1	2441	2402
<i>Longstanding illness/disability</i>						
Yes	19	12	14	2	474	506
No	13	7	6	1	3529	3495
<i>Sexual orientation</i>						
Heterosexual	13	7	7	1	3873	3877
Gay/Lesbian/Bi	22	14	18	5	74	67
<i>Religion</i>						
Christian	12	7	7	1	2705	2760
Other/None	16	8	7	2	1279	1223
<i>Knowledge score (discrete) / Sufficiency of knowledge</i>						
High score/Know enough	10	5	6	1	650	654
High score/Don't know enough	17	10	9	2	351	356
Low score/Don't know enough	21	13	11	2	713	713
Low score/Know enough	7	4	5	1	960	927
Any problems at work	40	22	21	4	1343	1327

See footnote, source and base details on previous page.

**Table B8.2 Unfair treatment or discrimination at current employer
Single and multivariate logistic regressions***

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.02	0.07	1.65 ¹					
Ownership (public/private/third sector)	2	0.05	0.02	2.17 ²					
Industry (SIC)	8	0.44	0.38	ns					
Workplace size (employees)	4	0.27	0.28	ns					
Trade union recognition	1	0.49	0.90	ns					
Personnel/HR department	1	0.81	0.84	ns					
Equal opportunities policy	1	<.01	<.01	0.57 ³			<.01	0.52 ³	
Job Characteristics									
Occupation (NS-SEC)	2	0.13		0.20	ns				
Managerial/supervisory duties	1	0.19		0.26	ns				
Permanent/not permanent	1	0.10		0.43	ns				
Full time/part time	1	0.69		0.81	ns				
Current or former job	1	<.01		-	-				
Number of jobs	1	<.01		<.01	2.19 ⁴		<.01	1.94 ⁴	
Equal opportunities training	1	0.38		0.07					
Member of TU or staff association	1	<.01		0.01	1.50 ³		<.01	1.83 ³	
Length of service (years)	4	0.27		0.57	ns				
Earnings per year (£'000)	3	0.03		0.20	ns				
Individual Characteristics									
Age**	4	0.10			0.06	0.58 ⁵		0.58 ⁶	
Sex	1	0.04			0.01	1.33 ⁷			
Ethnicity	1	0.12			0.53	ns			
Country of birth	1	0.37			0.38	ns			
Highest educational qualification	7	0.30			0.59	ns			
Children in household	1	0.40			0.32	ns			
Longstanding illness/disability	1	<.01			0.06	ns			
Sexual orientation	1	0.01			0.09	ns			
Religion	7	0.82			0.85	ns			
Knowledge score (discrete) / Sufficiency of knowledge	3	<.01			<.01	1.72 ⁸	<.01	1.94 ⁸	
						2.66 ⁹		3.01 ⁹	
						0.61 ¹⁰		0.34 ¹³	
								4.55 ¹¹	
								1.55 ¹²	

Note: *Variables as defined in Table B8.1. ** In Model 3, Age became significant in the model at less than the 5 per level after the other non-significant variables were taken out as part of the stepwise selection process

ns = not significant

1 England vs. Scotland

2 Third sector vs. Private

3 Yes vs. No

4 More than one vs. One

5 25-32 vs. 16-24

6 50 and over vs. 16-24

7 Female vs. Male

8 High score/Don't know enough vs. High score/Know enough

9 Low score/Don't know enough vs. High score/Know enough

10 Low score/Know enough vs. High score/Know enough

11 Low score/Don't know enough vs. Low score/Know enough

12 Low score/Don't know enough vs. High score/Don't know enough

13 Low score/Know enough vs. High score/Don't know enough

Source: BIS's FTWS 2008 Q5.4, Q5.5

Table B8.3 Unfair treatment or discrimination at current employer, classification table

Observed	Predicted		Correct %
	No	Yes	
No	1309	544	70.6%
Yes	94	122	56.5%
Overall percent	67.8%	32.2%	69.2%

Source: BIS's FTWS 2008 Q5.4, Q5.5

Annex B Chapter 9 - Bivariate & multivariate tables

Table B9.1 Details of bullying and sexual harassment

Percentages	Bullying	Sexual harassment
Did the problem occur as a one-off incident?*		
One-off incident	16	23
Several different times	30	28
Continuing basis	54	49
Were you working for your current employer?*		
Yes	75	74
No	24	26
Whether the problem is now over*		
Now over	56	68
Most likely now over	6	6
Too early to say	6	7
Still ongoing	32	20
<i>Weighted base</i>	288	50
<i>Unweighted base</i>	291	50
Who was the person who caused the problem?*		
Employer/Supervisor/Senior manager	76	56
Co-worker/colleague	27	38
Sub-ordinate	5	1
Customer/client	4	5
Not an individual (i.e. the organisation)	3	3
Other	1	-
<i>Weighted base</i>	264	48
<i>Unweighted base</i>	265	46
What gender was the person responsible?***		
Male	55	ns
Female	36	ns
Both males and females	8	ns
What ethnic group was the person responsible?***		
White	88	ns
Black	1	ns
Asian	6	ns
Other	-	ns
Mixed race	3	ns
Mixed group	2	ns
<i>Weighted base</i>	233	30
<i>Unweighted base</i>	233	28

Source: BIS's FTWS 2008 Q6.4, Q6.6c, Q6.6d, Q6.6e, Q6.7f,

Note: * Base= All respondents who experienced the problem

** Base= All respondents who experienced the problem except missing cases

*** Base= Most serious problem involves this issue, or the problem involving this issue is the same as the most serious problem and the most serious problem involves unfair treatment/discrimination

ns=Not shown due to small base sizes

Answers of don't know, not stated or that were not classifiable are not shown

Table B9.2 Bullying or harassment or other problem with severe impact on psychological wellbeing
Single and multivariate logistic regressions*

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.05	0.04	ns					
Ownership (public/private/third sector)	2	<.01	0.47	ns					
Industry (SIC)	8	<.01	0.11	ns					
Workplace size (employees)	4	0.47	0.48	ns					
Trade union recognition	1	0.02	0.30	ns					
Personnel/HR department	1	0.76	0.52	ns					
Equal opportunities policy	1	0.16	0.10	ns					
Job Characteristics									
Occupation (NS-SEC)	2	0.57		0.60	ns				
Managerial/supervisory duties	1	0.54		0.78	ns				
Permanent/not permanent	1	0.74		0.73	ns				
Full time/part time	1	0.75		0.95	ns				
Current or former job	1	<.01		-	ns				
Number of jobs	1	<.01		<.01	2.10 ¹	0.01	1.99 ¹		
Equal opportunities training	1	0.05		0.40					
Member of TU or staff association	1	<.01		<.01	1.86 ²	<.01	1.84 ²		
Length of service (years)	4	0.07		0.01	1.60 ³ 2.10 ⁴ 1.54 ⁵ 1.86 ⁶	0.01	1.62 ³ 2.30 ⁴ 1.66 ⁵ 2.21 ⁶		
Earnings per year (£'000)	3	0.03		0.08	ns				
Individual Characteristics									
Age	4	0.01			0.25	ns			
Sex	1	<.01			<.01	1.84 ⁷	<.01	1.73 ⁷	
Ethnicity	1	0.82			0.57	ns			
Country of birth	1	0.40			0.91	ns			
Highest educational qualification	7	0.40			0.82	ns			
Children in household	1	0.30			0.84	ns			
Longstanding illness/disability	1	<.01			<.01	2.35 ²	<.01	2.22 ²	
Sexual orientation	1	<.01			<.01	4.04 ⁸	<.01	3.71 ⁸	
Religion	7	0.05			0.73	ns			
Knowledge score (discrete) / Sufficiency of knowledge	3	<.01			<.01	1.96 ⁹ 0.77 ¹⁰ 1.63 ¹¹		2.47 ⁹ 1.91 ¹¹ 2.61 ¹² 0.49 ¹³	

*Variables as defined in Table B9.1

ns = not significant

1 More than one vs. One

2 Yes vs. No

3 Up to 1 vs. 1 to 2

4 Up to 1 vs. 3 to 5

5 Up to 1 vs. 6 to 15

6 Up to 1 vs. More than 15

7 Female vs. Male

8 Gay/Lesbian/Bisexual vs. Heterosexual

9 Low score/Don't know enough vs. High score/Know enough

10 Low score/Know enough vs. High score/Know enough

11 Low score/Know enough vs. High score/Know enough

11 High score/Don't know enough vs. High score/Know enough

12 Low score/Don't know enough vs. Low score/Know enough

13 Low score/Know enough vs. High score/Don't know enough

Source: BIS's FTWS 2008

Table B9.3 Bullying or harassment or other problem with severe impact on psychological wellbeing classification table

Observed	Predicted		Correct %
	No	Yes	
No	1292	656	66.3%
Yes	97	139	58.9%
Overall percent	63.6%	36.4%	65.5%

Source: BIS's FTWS 2008

Table B9.4 Negative Acts Factors

Percentages	Denigration and disrespect		Unreasonable management		Violence		Base	
	Not top	Top	Not top	Top	Not top	Top	Wtd	Unwtd
All	80	20	80	20	80	20	4010	4010
Region								
England	80	20	80	20	81	19	3461	3509
Wales	82	18	79	21	74	26	185	160
Scotland	75	25	81	19	74	26	364	341
Workplace characteristics								
<i>Ownership</i>								
Public	77	23	78	22	72	28	1143	1165
Private	82	18	81	19	83	17	2653	2626
Third sector	76	24	84	16	84	16	152	159
<i>Industry (SIC)</i>								
Agriculture and fishing	93	7	93	7	91	9	42	45
Energy and water	84	16	81	19	84	16	135	130
Manufacturing	85	15	80	20	82	18	257	261
Construction	87	13	78	22	86	14	201	198
Distribution, hotels and restaurants	77	23	83	17	78	22	642	615
Transport and communication	78	22	79	21	86	14	388	361
Banking, finance and insurance	84	16	78	22	85	15	906	892
Public admin, education and health	75	25	79	21	71	29	1090	1151
Other services	82	18	86	14	85	15	350	357
<i>Workplace size (employees)</i>								
1-9	80	20	84	16	83	17	720	712
10-24	78	22	83	17	83	17	695	692
25-99	80	20	80	20	78	22	900	933
100-499	82	18	77	23	81	19	873	861
500 or more	80	20	76	24	76	24	674	663
<i>Trade union recognition</i>								
Yes	78	22	76	24	73	27	1514	1543
No	81	19	82	18	84	16	2140	2145
<i>Personnel/HR department</i>								
Yes	80	20	79	21	78	22	2945	2956
No	79	21	83	17	86	14	956	947
<i>Equal opportunities policy</i>								
Yes	80	20	80	20	79	21	3188	3213
No	77	23	79	21	87	13	441	417

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures.

Source: BIS's FTWS 2008 Q6.49

Base: All respondents

Table B9.4 Negative Acts Factors (continued)

Percentages	Denigration and disrespect		Unreasonable management		Violence		Base	
	Not top	Top	Not top	Top	Not top	Top	Wtd	Unwtd
Job characteristics								
<i>Occupation (NS-SEC)</i>								
Managerial and professional	82	18	76	24	77	23	1481	1519
Intermediate	80	20	82	18	83	17	834	824
Routine and manual	78	22	83	17	81	19	1650	1618
<i>Managerial/ supervisory duties</i>								
Yes	79	21	76	24	76	24	1510	1536
No	80	20	83	17	83	17	2499	2473
<i>Employment status</i>								
Permanent	80	20	80	20	79	21	3668	3701
Not permanent	83	17	85	15	88	12	338	304
Full time	80	20	78	22	79	21	2969	2946
Part time	80	20	85	15	83	17	996	1017
<i>Current or former job</i>								
Current	80	20	81	19	80	20	3694	3658
Former	76	24	74	26	85	15	316	352
<i>Number of jobs</i>								
One job	81	19	81	19	80	20	3495	3463
More than one	67	33	75	25	75	25	137	148
<i>Equal opportunities training</i>								
Yes	78	22	79	21	76	24	1640	1639
No	82	18	81	19	83	17	2335	2333
<i>Trade union/staff assoc. member</i>								
Trade union	76	24	75	25	73	27	975	1003
Staff association	77	23	77	23	66	34	193	183
Neither	81	19	81	19	83	17	2658	2670
<i>Length of service (years)</i>								
Up to 1	82	18	82	18	83	17	610	559
1 to 2	79	21	80	20	83	17	750	702
3 to 5	77	23	82	18	79	21	790	796
6 to 15	82	18	80	20	81	19	1161	1179
More than 15	79	21	77	23	74	26	664	730
<i>Earnings per year (£'000)</i>								
Under 15	78	22	85	15	82	18	1399	1372
15-24.99	77	23	76	24	78	22	1015	1021
25-39.99	81	19	76	24	76	24	844	826
40 +	84	16	71	29	80	20	431	449
<i>Earn less than £6.50 per hour</i>								
Yes	75	25	85	15	82	18	462	447
No	81	19	78	22	78	22	2213	2237

See footnote, source and base details on previous page

Table B9.4 Negative Acts Factors (continued)

Percentages	Denigration and disrespect		Unreasonable management		Violence		Base	
	Not top	Top	Not top	Top	Not top	Top	Wtd	Unwtd
Individual characteristics								
<i>Age</i>								
16-24	81	19	86	14	86	14	614	454
25-32	79	21	82	18	80	20	742	685
33-40	78	22	77	23	78	22	740	799
41-49	81	19	78	22	79	21	895	917
50 and over	81	19	80	20	80	20	1019	1155
<i>Sex</i>								
Male	83	17	80	20	82	18	2051	1954
Female	77	23	81	19	78	22	1959	2056
<i>Ethnicity</i>								
White	79	21	79	21	79	21	3592	3620
BME/Other	85	15	88	12	88	12	411	381
<i>Country of birth</i>								
UK	79	21	79	21	79	21	3481	3521
Non UK	85	15	89	11	86	14	525	484
<i>Highest educational qualification</i>								
Higher/postgrad	83	17	74	26	79	21	500	520
Undergraduate degree	79	21	78	22	79	21	614	605
HE (below degree)	83	17	76	24	74	26	471	497
A/AS level	77	23	81	19	81	19	757	700
GCSE (A-C)	80	20	83	17	81	19	760	749
GCSE (D-G)	78	22	83	17	83	17	344	344
Other incl. trade apprenticeships	80	20	82	18	81	19	184	182
None of these	81	19	88	12	85	15	365	397
<i>Children in household</i>								
Yes	80	20	79	21	80	20	1562	1599
No	80	20	81	19	81	19	2441	2402
<i>Longstanding illness/disability</i>								
Yes	71	29	71	29	74	26	474	506
No	81	19	81	19	81	19	3529	3495
<i>Sexual orientation</i>								
Heterosexual	80	20	80	20	80	20	3873	3877
Gay/ Lesbian/ Bi	72	28	66	34	81	19	74	67
<i>Religion</i>								
Christian	80	20	80	20	80	20	2705	2760
Other/None	80	20	80	20	81	19	1279	1223
<i>Problems at work</i>								
Any	67	33	62	38	75	25	1343	1327
None	86	14	89	11	83	17	2630	2646

See footnote, source and base details on previous page

Annex B Chapter 10 - Bivariate & multivariate tables

Table B10.1 Length of time to resolve most serious problem

	Mean duration of problem (in years)	Median duration of problems (in years)	Standard Error	Weighted base	Unweighted base
All	0.64	0.25	0.03	791	775
Region					
England	0.65	0.25	0.04	675	675
Wales	0.32	0.08	0.08	51	35
Scotland	0.79	0.25	0.16	66	65
Workplace characteristics					
<i>Ownership</i>					
Public	0.68	0.33	0.06	207	204
Private	0.61	0.17	0.05	528	516
Third sector	0.62	0.42	0.11	42	39
<i>Industry (SIC)*</i>					
Manufacturing	0.79	0.08	0.19	39	41
Construction	0.55	0.25	0.13	29	32
Distribution, hotels and restaurants	0.47	0.08	0.09	122	126
Transport and communication	0.76	0.17	0.14	72	69
Banking, finance and insurance	0.60	0.25	0.06	189	171
Public administration, education and health	0.64	0.33	0.06	229	229
Other services	0.83	0.17	0.20	75	72
<i>Workplace size (employees)</i>					
1-9	0.71	0.25	0.11	127	128
10-24	0.56	0.17	0.10	148	144
25-99	0.69	0.25	0.07	173	183
100-499	0.65	0.25	0.07	178	162
500 or more	0.63	0.33	0.07	138	130
<i>Trade union recognition</i>					
Yes	0.79	0.33	0.07	277	275
No	0.58	0.17	0.05	432	427
<i>Personnel/HR department</i>					
Yes	0.64	0.25	0.04	568	547
No	0.68	0.25	0.09	202	203
<i>Equal opportunities policy</i>					
Yes	0.66	0.25	0.04	618	610
No	0.72	0.17	0.18	82	80

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures.

* Categories not shown due to small base sizes: Agriculture and fishing category (9 unweighted); Energy and water (26 unweighted)

Source: BIS's FTWS 2008 FTWS 2008 Q6.9 & Q6.2

Base: All respondents that had a most serious problem at work that is now over except those that could not remember or did not know when the problem began or ended

Table B10.1 Length of time to resolve most serious problem (continued)

	Mean duration of problem (in years)	Median duration of problems (in years)	Standard Error	Base (wt.)	Base (unwt.)
Job characteristics					
<i>Occupation (NS-SEC)</i>					
Managerial and professional	0.67	0.33	0.05	281	275
Intermediate	0.62	0.25	0.07	170	163
Routine and manual	0.63	0.17	0.07	329	326
<i>Managerial/ supervisory duties</i>					
Yes	0.73	0.33	0.07	283	284
No	0.59	0.17	0.04	508	491
<i>Employment status</i>					
Permanent	0.68	0.25	0.04	702	691
Not permanent	0.34	0.08	0.06	89	83
Full time	0.67	0.25	0.04	580	578
Part time	0.57	0.17	0.06	209	193
<i>Current or former job</i>					
Current	0.62	0.25	0.04	681	654
Former	0.75	0.25	0.13	110	121
<i>Number of jobs</i>					
One job	0.61	0.25	0.04	628	612
More than one	0.72	0.58	0.12	34	31
<i>Equal opportunities training</i>					
Yes	0.66	0.33	0.05	312	295
No	0.63	0.17	0.05	477	477
<i>Trade union/staff assoc. member</i>					
Trade union	0.89	0.33	0.09	169	179
Staff association	0.75	0.33	0.19	34	33
Neither	0.57	0.17	0.04	542	528
<i>Length of service (years)</i>					
Up to 1	0.48	0.17	0.07	176	164
1 to 2	0.62	0.25	0.07	166	154
3 to 5	0.56	0.17	0.07	141	144
6 to 15	0.71	0.25	0.08	208	212
More than 15	0.97	0.50	0.14	96	97
<i>Earnings per year (£'000)</i>					
Under 15	0.53	0.17	0.06	303	289
15-24.99	0.65	0.25	0.06	244	245
25-39.99	0.76	0.25	0.10	137	134
40 +	0.84	0.50	0.12	72	71
<i>Earn less than £6.50 per hour</i>					
Yes	0.51	0.17	0.10	111	110
No	0.71	0.33	0.05	409	406

See footnote, source and base details on previous page.

Table B10.1 Length of time to resolve most serious problem (continued)

	Mean duration of problem (in years)	Median duration of problems (in years)	Standard Error	Base (wt.)	Base (unwt.)
Individual characteristics					
<i>Age</i>					
16-24	0.31	0.08	0.04	152	110
25-32	0.51	0.25	0.06	143	131
33-40	0.80	0.25	0.11	154	163
41-49	0.73	0.33	0.08	162	166
50 and over	0.82	0.33	0.09	179	205
<i>Sex</i>					
Male	0.66	0.17	0.06	365	349
Female	0.62	0.25	0.05	426	426
<i>Ethnicity</i>					
White	0.65	0.25	0.04	726	717
BME/Other	0.57	0.25	0.11	64	57
<i>Country of birth</i>					
UK	0.65	0.25	0.04	708	695
Non UK	0.56	0.25	0.07	83	80
<i>Highest educational qualification</i>					
Higher/postgrad	0.63	0.25	0.09	96	92
Undergraduate degree	0.71	0.33	0.09	135	128
HE (below degree)	0.63	0.33	0.09	83	87
A/AS level	0.51	0.08	0.07	174	147
GCSE (A-C)	0.60	0.25	0.07	136	140
GCSE (D-G)	0.65	0.25	0.12	68	67
Other incl. trade apprenticeships	0.98	0.50	0.32	32	35
None of these	0.83	0.17	0.20	65	78
<i>Children in household</i>					
Yes	0.66	0.25	0.05	319	315
No	0.63	0.17	0.05	472	459
<i>Longstanding illness/disability</i>					
Yes	0.90	0.42	0.11	129	134
No	0.59	0.25	0.04	662	640
<i>Sexual orientation</i>					
Heterosexual	0.64	0.25	0.04	757	744
Gay/Lesbian/Bi	0.88	0.67	0.22	22	21
<i>Religion</i>					
Christian	0.67	0.25	0.05	518	530
Other/None	0.59	0.17	0.06	268	241

See footnote, source and base details on previous page.

Table B10.2 Problem resolution outcome

Percentages	Positive outcome	Negative outcome	Weighted base	Unweighted base
All	52	47	880	869
Region				
England	52	47	751	755
Wales	54	43	57	41
Scotland	48	52	72	73
Workplace characteristics				
<i>Ownership</i>				
Public	62	37	226	223
Private	48	51	594	585
Third sector	61	39	46	44
<i>Industry (SIC)*</i>				
Manufacturing	53	46	46	49
Construction	60	40	38	39
Distribution, hotels and restaurants	47	52	138	145
Transport and communication	43	52	80	78
Banking, finance and insurance	57	42	205	187
Public administration, education and health	59	41	250	251
Other services	30	69	85	84
<i>Workplace size (employees)</i>				
1-9	37	61	141	146
10-24	48	52	165	161
25-99	51	47	193	203
100-499	61	38	197	181
500 or more	62	37	152	144
<i>Trade union recognition</i>				
Yes	67	33	307	303
No	44	54	479	480
<i>Personnel/HR department</i>				
Yes	60	40	627	605
No	35	63	229	236
<i>Equal opportunities policy</i>				
Yes	58	41	685	675
No	29	69	97	99

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. 1% of respondents overall answered 'don't know' to this question and so this category is not shown separately

* Categories not shown due to small base sizes: Agriculture and fishing category (9 unweighted); Energy and water (27 unweighted)

Source: BIS's FTWS 2008

Base: All respondents whose problem was over or most likely over from Q6.35a and Q6.35c

Table B10.2 Problem resolution outcome (continued)

Percentages	Positive outcome	Negative outcome	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	56	43	308	303
Intermediate	59	40	183	174
Routine and manual	46	53	376	377
<i>Managerial/ supervisory duties</i>				
Yes	56	42	316	316
No	50	49	564	553
<i>Employment status</i>				
Permanent	53	46	785	779
Not permanent	46	52	95	89
Full time	54	45	645	647
Part time	47	52	232	216
<i>Current or former job</i>				
Current	56	42	740	714
Former	29	71	140	155
<i>Number of jobs</i>				
One job	57	42	686	670
More than one	42	53	35	33
<i>Equal opportunities training</i>				
Yes	60	39	344	326
No	47	52	532	538
<i>Trade union/staff assoc. member</i>				
Trade union	70	29	186	197
Staff association	57	43	36	35
Neither	47	52	602	592
<i>Length of service (years)</i>				
Up to 1	31	67	191	181
1 to 2	43	56	186	175
3 to 5	64	35	158	158
6 to 15	55	44	234	241
More than 15	80	19	107	109
<i>Earnings per year (£'000)</i>				
Under 15	44	55	331	320
15-24.99	54	44	271	275
25-39.99	58	42	149	147
40 +	67	32	83	81
<i>Earn less than £6.50 per hour</i>				
Yes	32	67	122	126
No	58	41	457	454

See footnote, source and base details on previous page.

Table B10.2 Problem resolution outcome (continued)

Percentages	Positive outcome	Negative outcome	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	47	51	166	123
25-32	43	55	167	155
33-40	53	46	174	184
41-49	57	42	180	182
50 and over	59	41	193	225
<i>Sex</i>				
Male	55	44	419	402
Female	50	50	462	467
<i>Ethnicity</i>				
White	52	47	806	802
BME/Other	49	51	72	65
<i>Country of birth</i>				
UK	52	47	787	779
Non UK	50	49	93	90
<i>Highest educational qualification</i>				
Higher/postgrad	57	41	105	99
Undergraduate degree	51	47	151	143
HE (below degree)	53	47	92	97
A/AS level	53	46	199	170
GCSE (A-C)	49	49	149	159
GCSE (D-G)	53	47	74	72
Other incl. trade apprenticeships	45	55	33	36
None of these	51	48	75	91
<i>Children in household</i>				
Yes	54	45	355	349
No	51	48	524	519
<i>Longstanding illness/disability</i>				
Yes	50	50	142	153
No	52	46	738	715
<i>Sexual orientation</i>				
Heterosexual	52	47	839	833
<i>Religion</i>				
Christian	54	46	575	590
Other/None	47	50	299	274
<i>Problem type (most serious problem)</i>				
Employment rights	51	48	773	765
Unfair treatment	44	54	318	328
Discrimination	41	59	173	171
Bullying/harassment	47	53	180	183
Sexual harassment	35	65	34	34

* Gay/Lesbian/Bi not shown due to small base size (24 unweighted)
See footnote, source and base details on previous page.

Table B10.2 Problem resolution outcome (continued)

Percentages	Positive outcome	Negative outcome	Base (wt.)	Base (unwt.)
Advice sought				
Personnel/HR officer	68	32	158	152
Manager at work	64	36	248	238
Union/SA rep at work	69	31	130	134
Friend/colleague	55	45	256	236
Other source at work	55	43	117	108
Trade Union	64	36	130	130
ACAS	49	51	50	48
CAB	36	64	60	69
Solicitor	44	56	65	65
Public source e.g. library, website	59	41	82	77
No advice or information sought	41	57	237	241
Action taken				
Tried to resolve the problem informally	58	41	481	476
Put concerns in writing	57	43	269	268
Discussed with employer	57	43	610	592
Went to a formal meeting	54	45	303	310
Made an application to an employment tribunal	30	70	29	32
None of these	36	60	142	151
<i>Did anyone acting on your behalf try to get information to resolve the problem?</i>				
Yes	54	44	186	180
No	52	47	690	683
<i>Did you or anyone acting on your behalf take any other steps to resolve the problem or dispute?</i>				
Yes	57	42	113	119
No	51	48	766	747

See footnote, source and base details on previous page.

Table B10.3 Problem resolution outcome – positive outcome
Single and multivariate logistic regressions*

		Single	Model 1	Model 2	Model 3	Model 4
	df	Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.
National and Workplace Characteristics						
Region	2	0.63	0.50	ns		
Ownership (public/private/third sector)	2	<.01	0.25	ns		
Industry (SIC)	8	<.01	0.58	ns		
Workplace size (employees)	4	<.01	0.45	ns		
Trade union recognition	1	<.01	0.01	1.78 ¹		
Personnel/HR department**	1	<.01	0.16	1.65 ¹		
Equal opportunities policy	1	<.01	0.02	2.22 ¹		<.01 2.83 ¹
Job Characteristics						
Occupation (NS-SEC)	2	0.01		0.91	ns	
Managerial/supervisory duties	1	0.05		0.27	ns	
Permanent/not permanent	1	0.29		0.51	ns	
Full time/part time	1	0.07		0.95	ns	
Number of jobs	1	0.12		0.75	ns	
Equal opportunities training**	1	<.01		0.08	1.49 ¹	
Member of TU or staff association	1	<.01		0.08	ns	
Length of service (years)	4	<.01		<.01	0.58 ²	<.01
					2.13 ³	2.13 ³
					1.69 ⁴	1.79 ⁴
					7.14 ⁵	6.67 ⁵
					0.27 ⁶	0.30 ⁶
					0.34 ⁷	0.36 ⁷
					0.08 ⁸	0.10 ⁸
					0.30 ⁹	0.33 ⁹
					0.24 ¹⁰	0.27 ¹⁰
Earnings per year (£'000)	3	<.01		0.07	ns	
Individual Characteristics						
Age	4	0.03			0.22	ns
Sex	1	0.13			0.08	ns
Ethnicity	1	0.54			0.21	ns
Country of birth	1	0.72			0.30	ns
Highest educational qualification	7	0.92			0.24	ns
Children in household	1	0.30			0.54	ns
Longstanding illness/disability	1	0.54			0.40	ns
Sexual orientation	1	0.52			0.68	ns
Religion	7	0.47			0.99	ns
Knowledge score (discrete) / Sufficiency of knowledge	3	0.24			0.02	1.89 ¹¹
						0.44 ¹²
						2.03 ¹³
If made a formal complaint would be treated unfairly?	1	0.16			0.38	ns

Note: *Variables as defined in Table B10.2. ** In Model 1, Personnel/HR department became significant in the model at less than the 5 per level after the other non-significant variables were taken out as part of the stepwise selection process. As did equal opportunities training and earnings in Model 2.

ns = not significant

1 Yes vs. No

2 Up to 1 year vs. 1 to 2 years

3 3 to 5 years vs. 1 to 2 years

4 6 to 15 vs. 1 to 2

5 More than 15 vs. 1 to 2

6 Up to 1 vs. 3 to 5

7 Up to 1 vs. 6 to 15

8 Up to 1 vs. More than 15

9 3 to 5 vs. More than 15

10 6 to 15 vs. More than 15

11 Low score/Don't know enough vs. Low score/Know enough

12 Low score/Know enough vs. High score/Don't know enough

13 High score/Don't know enough vs. High score/Know enough

Source: BIS's FTWS 2008 Q6.35a & Q6.35c

Table B10.3 Problem resolution outcome – positive outcome
Single and multivariate logistic regressions (continued)*

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
Problem type (most serious problem)									
Employment rights problem**	1	0.19			0.17	0.55 ¹			
Unfair treatment	1	<.01			0.05	0.53 ¹			
Discrimination	1	<.01			0.95	ns			
Sexual harassment	1	0.04			0.09	ns			
Bullying & harassment	1	0.09			0.11	ns			
Advice sought									
None	1	<.01			0.57	ns			
Manager at work	1	<.01			<.01	2.00 ¹	<.01	2.08 ¹	
Personnel/HR officer	1	<.01			0.03	ns			
Friend/colleague	1	0.31			0.02	1.61 ¹			
Union rep at work**	1	<.01			0.19	2.33 ¹	0.01	1.96 ¹	
Other source at work	1	0.42			0.73	ns			
Trade Union	1	0.01			0.98	ns			
ACAS	1	0.56			0.55	ns			
CAB	1	0.01			0.25	ns			
Solicitor	1	0.14			0.11	ns			
Public source e.g. library, website	1	0.19			0.60	ns			
Action taken									
Resolve the problem informally	1	<.01			0.03	ns			
Put concerns in writing**	1	0.09			0.07	1.72 ¹			
Discussed with employer	1	<.01			0.05	2.08 ¹	<.01	1.79 ¹	
Went to a formal meeting	1	0.36			0.27	ns			
Made an application to an employment tribunal**	1	0.02			0.06	0.15 ¹	<.01	0.23 ¹	
None of the above actions	1	<.01			0.64	ns			
Other									
Benefited from more help and support?	1	<.01			<.01	5.94 ¹⁴	<.01	3.08 ¹⁴	
Wish problem had been handled differently?	1	<.01			0.04	ns			

Note: *Variables as defined in Table B10.2. ** In Model 3, Employment rights problem, union rep at work, put concerns in writing and made an application to an employment tribunal became significant in the model at less than the 5 per level after the other non-significant variables were taken out as part of the stepwise selection process.

*Variables as defined in Table B10.2

ns = not significant

1 Yes vs. No

14 Had all the help and support needed vs. Would have benefited from more help and support

Source: BIS's FTWS 2008 Q6.35a and Q6.35c

Table B10.4 Problem resolution outcome – positive outcome, classification table

Observed	Predicted		Correct %
	No	Yes	
No	207	134	60.7%
Yes	77	313	80.3%
Overall percent	38.9%	61.1%	71.1%

Source: BIS's FTWS 2008 Q6.35a and Q6.35c

Annex B Chapter 11 - Bivariate & multivariate tables

Table B11.1 Whether took any form of action in respect of the problem

Percentages	Yes	No	Weighted base	Unweighted base
All	89	11	1313	1300
Region				
England	88	12	1128	1134
Wales	93	7	78	60
Scotland	92	8	106	106
Workplace characteristics				
<i>Ownership</i>				
Public	93	7	384	380
Private	87	13	839	831
Third sector	95	5	65	63
<i>Industry (SIC)*</i>				
Energy and water	88	12	42	39
Manufacturing	83	17	67	72
Construction	89	11	52	53
Distribution, hotels and restaurants	85	15	212	217
Transport and communication	87	13	128	115
Banking, finance and insurance	92	8	287	270
Public administration, education and health	92	8	399	403
Other services	85	15	116	118
<i>Workplace size (employees)</i>				
1-9	86	14	224	224
10-24	86	14	232	229
25-99	89	11	288	300
100-499	92	8	293	278
500 or more	93	7	228	220
<i>Trade union recognition</i>				
Yes	93	7	502	497
No	86	14	687	688
<i>Personnel/HR department</i>				
Yes	91	9	945	919
No	84	16	330	341
<i>Equal opportunities policy</i>				
Yes	91	9	1022	1011
No	81	19	155	152

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures.

* Agriculture and fishing category not shown due to small base size (13 unweighted)

Source: BIS's FTWS 2008

Base: All respondents who had a most serious problem at work and took any form of information, advice or further action from Q6.10, Q6.13c, Q6.21a-e, Q6.33 on this problem

Table B11.1 Whether took any form of action in respect of the problem (continued)

Percentages	Yes	No	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	91	9	454	452
Intermediate	94	6	264	256
Routine and manual	86	14	572	570
<i>Managerial/ supervisory duties</i>				
Yes	92	8	463	463
No	87	13	850	837
<i>Employment status</i>				
Permanent	89	11	1182	1175
Not permanent	86	14	129	123
Full time	88	12	962	963
Part time	90	10	344	327
<i>Current or former job</i>				
Current	89	11	1157	1131
Former	91	9	156	169
<i>Number of jobs</i>				
One job	89	11	1072	1058
More than one	83	17	63	60
<i>Equal opportunities training</i>				
Yes	92	8	529	508
No	87	13	778	786
<i>Trade union/staff assoc. member</i>				
Trade union	94	6	328	343
Staff association	97	3	64	57
Neither	87	13	861	848
<i>Length of service (years)</i>				
Up to 1	85	15	237	225
1 to 2	88	12	272	253
3 to 5	91	9	235	232
6 to 15	89	11	367	379
More than 15	91	9	195	203
<i>Earnings per year (£'000)</i>				
Under 15	86	14	508	488
15-24.99	91	9	397	400
25-39.99	92	8	224	230
40 +	92	8	117	112
<i>Earn less than £6.50 per hour</i>				
Yes	84	16	174	171
No	89	11	709	704

See footnote, source and base details on previous page.

Table B11.1 Whether took any form of action in respect of the problem (continued)

Percentages	Yes	No	Weighted base	Unweighted base
Individual characteristics				
<i>Age</i>				
16-24	83	17	226	165
25-32	88	12	243	230
33-40	91	9	243	263
41-49	90	10	290	295
50 and over	91	9	311	347
<i>Sex</i>				
Male	87	13	623	601
Female	91	9	690	699
<i>Ethnicity</i>				
White	90	10	1197	1194
BME/Other	81	19	112	102
<i>Country of birth</i>				
UK	90	10	1158	1159
Non UK	78	22	153	140
<i>Highest educational qualification</i>				
Higher/postgrad	94	6	147	144
Undergraduate degree	89	11	221	214
HE (below degree)	87	13	148	153
A/AS level	87	13	288	254
GCSE (A-C)	92	8	228	240
GCSE (D-G)	88	12	106	106
Other incl. trade apprenticeships	81	19	56	55
None of these	85	15	116	129
<i>Children in household</i>				
Yes	91	9	533	533
No	88	12	777	764
<i>Longstanding illness/disability</i>				
Yes	95	5	229	249
No	88	12	1082	1049
<i>Sexual orientation</i>				
Heterosexual	89	11	1255	1248
Gay/Lesbian/Bi	86	14	37	35
<i>Religion</i>				
Christian	89	11	865	879
Other/None	88	12	438	413
<i>Problem type (most serious problem)</i>				
Employment rights	90	10	940	937
Unfair treatment	87	13	275	266
Discrimination	87	13	144	143
Bullying/harassment	94	6	167	163

See footnote, source and base details on previous page.

**Table B11.2 Whether took any form of action in respect of the problem
Single and multivariate logistic regressions***

		Single regres- sions	Model 1	Model 2	Model 3	Model 4			
	df	Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	0.48	0.41	ns					
Ownership (public/private/third sector)	2	<.01	0.26	ns					
Industry (SIC)	8	0.08	0.83	ns					
Workplace size (employees)	4	0.05	0.66	ns					
Trade union recognition**	1	<.01	0.22	2.13 ¹					
Personnel/HR department	1	<.01	0.71	ns					
Equal opportunities policy	1	<.01	0.48	ns					
Job Characteristics									
Occupation (NS-SEC)**	2	<.01		0.14	2.39 ²		0.02	2.21 ²	
Managerial/supervisory duties	1	<.01		1.00	ns				
Permanent/not permanent	1	0.27		0.25	ns				
Full time/part time	1	0.35		0.01	ns				
Number of jobs	1	0.20		0.91	ns				
Equal opportunities training	1	0.01		0.31	ns				
Member of TU or staff association	1	<.01		<.01	3.45 ¹		<.01	2.46 ¹	
Length of service (years)	4	0.25		0.10	ns				
Earnings per year (£'000)	3	<.01		0.08	ns				
Individual Characteristics									
Age	4	<.01			0.13	ns			
Sex	1	0.08			0.27	ns			
Ethnicity	1	<.01			0.82	ns			
Country of birth	1	<.01			0.02	3.13 ³	<.01	2.38 ³	
Highest educational qualification	7	0.09			0.56	ns			
Children in household**	1	0.04			0.34	1.82 ¹			
Longstanding illness/disability	1	<.01			0.53	ns			
Sexual orientation	1	0.57			0.36	ns			
Religion	7	0.59			0.93	ns			
Knowledge score (discrete) / Sufficiency of knowledge	3	0.50			0.82	ns			
If made formal complaint would be treated unfairly?	1	0.33			0.21	ns			
Problem type (most serious problem)									
Employment rights problem	1	<.01			0.15	ns			
Unfair treatment	1	0.17			0.79	ns			
Discrimination	1	0.48			0.56	ns			
Sexual harassment	1	0.26			0.09	ns			
Bullying & harassment	1	0.03			0.01	2.56 ¹			

Note: *Variables as defined in Table B11.1. ** In Model 1, Trade union recognition became significant in the model at less than the 5 per level after the other non-significant variables were taken out as part of the stepwise selection process. As did occupation (NS-SEC) in Model 2 and Children in household in Model 3.

ns = not significant

1 Yes vs. No

2 Intermediate occupations vs. Routine and manual occupations

3 UK vs. Non-UK

Source: BIS's FTWS 2008 Q6.10, Q6.13c, Q6.21a-e, Q6.33

Table B11.3 Whether took any form of action in respect of the problem, classification table

Observed	Predicted		Correct %
	No	Yes	
No	77	58	57.0%
Yes	380	691	64.5%
Overall percent	37.9%	62.1%	63.7%

Source: BIS's FTWS 2008 Q6.10, Q6.13c, Q6.21a-e, Q6.33

Table B11.4 Whether would have benefited from more help/support

Percentages	Yes	No	Weighted base	Unweighted base
All	48	48	1313	1300
Region				
England	50	46	1128	1134
Wales	33	64	78	60
Scotland	39	56	106	106
Workplace characteristics				
<i>Ownership</i>				
Public	46	52	384	380
Private	50	47	839	831
Third sector	49	49	65	63
<i>Industry (SIC)*</i>				
Energy and water	39	57	42	39
Manufacturing	52	43	67	72
Construction	50	45	52	53
Distribution, hotels and restaurants	50	48	212	217
Transport and communication	53	42	128	115
Banking, finance and insurance	45	52	287	270
Public administration, education and health	49	49	399	403
Other services	47	48	116	118
<i>Workplace size (employees)</i>				
1-9	53	42	224	224
10-24	53	45	232	229
25-99	45	53	288	300
100-499	46	51	293	278
500 or more	46	50	228	220
<i>Trade union recognition</i>				
Yes	44	54	502	497
No	51	45	687	688
<i>Personnel/HR department</i>				
Yes	45	52	945	919
No	57	39	330	341
<i>Equal opportunities policy</i>				
Yes	47	50	1022	1011
No	62	34	155	152

Note: Answers of don't know, not stated or that were not classifiable on the breakdown questions are not shown separately but are included in the All figures. 3% of respondents answered 'Don't know' to these question and these results are not shown separately

* Agriculture and fishing category not shown due to small base size (13 unweighted)

Source: BIS's FTWS 2008 Q6.44

Base: All respondents who had a most serious problem at work

Table B11.4 Whether would have benefited from more help/support (continued)

Percentages	Yes	No	Base (wt.)	Base (unwt.)
Job characteristics				
<i>Occupation (NS-SEC)</i>				
Managerial and professional	46	51	454	452
Intermediate	51	47	264	256
Routine and manual	49	47	572	570
<i>Managerial/ supervisory duties</i>				
Yes	45	51	463	463
No	50	47	850	837
<i>Employment status</i>				
Permanent	49	48	1182	1175
Not permanent	44	51	129	123
Full time	48	49	962	963
Part time	49	47	344	327
<i>Current or former job</i>				
Current	48	48	1157	1131
Former	49	47	156	169
<i>Number of jobs</i>				
One job	48	49	1072	1058
More than one	58	38	63	60
<i>Equal opportunities training</i>				
Yes	44	53	529	508
No	52	45	778	786
<i>Trade union/staff assoc. member</i>				
Trade union	43	55	328	343
Staff association	53	45	64	57
Neither	49	47	861	848
<i>Length of service (years)</i>				
Up to 1	48	47	237	225
1 to 2	54	44	272	253
3 to 5	48	49	235	232
6 to 15	50	47	367	379
More than 15	38	57	195	203
<i>Earnings per year (£'000)</i>				
Under 15	52	44	508	488
15-24.99	49	48	397	400
25-39.99	44	53	224	230
40 +	37	61	117	112
<i>Earn less than £6.50 per hour</i>				
Yes	56	42	174	171
No	47	50	709	704

See footnote, source and base details on previous page.

Table B11.4 Whether would have benefited from more help/support (continued)

Percentages	Yes	No	Base (wt.)	Base (unwt.)
Individual characteristics				
<i>Age</i>				
16-24	49	49	226	165
25-32	50	47	243	230
33-40	51	45	243	263
41-49	49	45	290	295
50 and over	44	54	311	347
<i>Sex</i>				
Male	45	51	623	601
Female	51	46	690	699
<i>Ethnicity</i>				
White	48	49	1197	1194
BME/Other	56	38	112	102
<i>Country of birth</i>				
UK	47	50	1158	1159
Non UK	59	37	153	140
<i>Highest educational qualification</i>				
Higher/postgrad	46	51	147	144
Undergraduate degree	48	49	221	214
HE (below degree)	44	49	148	153
A/AS level	47	51	288	254
GCSE (A-C)	54	44	228	240
GCSE (D-G)	51	46	106	106
Other incl. trade apprenticeships	38	58	56	55
None of these	55	40	116	129
<i>Children in household</i>				
Yes	50	46	530	529
No	47	50	780	768
<i>Longstanding illness/disability</i>				
Yes	54	45	229	249
No	47	49	1082	1049
<i>Sexual orientation</i>				
Heterosexual	49	48	1255	1248
Gay/Lesbian/Bi	39	56	37	35
<i>Religion</i>				
Christian	49	47	865	879
Other/None	47	50	438	413
<i>Problem type (most serious problem)</i>				
Employment rights	48	48	940	937
Unfair treatment	56	40	275	266
Discrimination	63	33	144	143
Bullying/harassment	59	39	167	163

See footnote, source and base details on previous page.

**Table B11.5 Whether would have benefitted from more help and support
Single and multivariate logistic regressions***

	df	Single regres- sions	Model 1	Model 2	Model 3	Model 4			
		Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
National and Workplace Characteristics									
Region	2	<.01	0.13	ns					
Ownership (public/private/third sector)	2	0.29	0.34	ns					
Industry (SIC)	8	0.52	0.39	ns					
Workplace size (employees)	4	0.11	0.57	ns					
Trade union recognition	1	<.01	0.43	ns					
Personnel/HR department	1	<.01	0.55	ns					
Equal opportunities policy	1	<.01	0.01	0.50 ¹					
Job Characteristics									
Occupation (NS-SEC)	2	0.47		0.43	ns				
Managerial/supervisory duties	1	0.10		0.81	ns				
Permanent/not permanent	1	0.39		0.18	ns				
Full time/part time	1	0.69		0.07	ns				
Number of jobs	1	0.10		0.20	ns				
Equal opportunities training	1	<.01		0.01	0.68 ¹		0.03	0.68 ¹	
Member of TU or staff association	1	0.13		0.9	ns				
Length of service (years)	4	0.05		0.28	ns				
Earnings per year (£'000)	3	0.01		0.05	1.43 ²				
					1.82 ³				
					1.63 ⁴				
Individual Characteristics									
Age	4	0.32			0.24	ns			
Sex	1	0.04			0.22	ns			
Ethnicity	1	0.04			0.09	ns			
Country of birth	1	0.01			0.91	ns			
Highest educational qualification	7	0.23			0.65	ns			
Children in household	1	0.29			0.32	ns			
Longstanding illness/disability	1	0.14			0.81	ns			
Sexual orientation	1	0.28			0.61	ns			
Religion	7	0.90			0.09	ns			
Knowledge score (discrete) / Sufficiency of knowledge	3	<.01			<.01	3.04 ⁵	<.01	3.03 ⁵	
						2.16 ⁶		1.91 ⁶	
						2.63 ⁷		2.92 ⁷	
						0.54 ⁸		0.54 ⁸	
If made formal complaint would be treated unfairly?	1	<.01			<.01	2.27 ¹	<.01	2.33 ¹	

*Variables as defined in Table B11.4

ns = not significant

1 Yes vs. No

2 Under £15K vs. £25K - £39.99K

3 Under £15K vs. £40K+

4 £15K to £24.99K vs. £40K+

5 Low score/Don't know enough vs. High score/Know enough

6 High score/Don't know enough vs. High score/Know enough

7 Low score/Don't know enough vs. Low score/Know enough

8 Low score/Know enough vs. High score/Don't know enough

Source: BIS's FTWS 2008 Q6.44

**Table B11.5 Whether would have benefitted from more help and support
Single and multivariate logistic regressions (continued)***

		Single regres- sions	Model 1	Model 2	Model 3	Model 4			
	df	Signif- icance	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	Signif- icance	Odds ratio est.	
Problem type (most serious problem)									
Employment rights problem	1	<.01			0.01	1.67 ¹			
Unfair treatment	1	<.01			0.34	ns			
Discrimination	1	<.01			0.19	ns			
Sexual harassment	1	0.76			0.08	ns			
Bullying & harassment	1	<.01			0.18	ns			
Advice sought									
None	1	0.92			0.56	ns			
Manager at work	1	0.72			0.38	ns			
Personnel/HR officer	1	0.90			0.22	ns			
Friend/colleague	1	<.01			0.01	1.59 ¹	0.01	1.61 ¹	
Union rep at work	1	0.29			0.20	ns			
Other source at work	1	<.01			0.02	1.67 ¹	0.05	1.67 ¹	
Trade Union	1	0.04			0.02	ns			
ACAS	1	0.99			0.95	ns			
CAB	1	0.13			0.40	ns			
Solicitor	1	0.21			0.40	ns			
Public source e.g. library, website	1	0.41			0.71	ns			
Action taken									
Resolve the problem informally	1	0.24			0.46	ns			
Put concerns in writing	1	0.61			0.11	ns			
Discussed with employer	1	0.13			0.24	ns			
Went to a formal meeting	1	0.47			0.54	ns			
Made an application to an employment tribunal	1	0.55			0.23	ns			
None of the above actions	1	0.89			0.33	ns			
Other									
Wish problem had been handled differently?	1	<.01			<.01	4.35 ¹	<.01	3.85 ¹	

*Variables as defined in Table B11.4

ns = not significant

1 Yes vs. No

Source: BIS's FTWS 2008 Q6.44

Table B11.6 Whether would have benefitted from more help and support, classification table

Observed	Predicted		Correct %
	No	Yes	
No	275	120	69.6%
Yes	130	268	67.3%
Overall percent	42.6%	57.4%	68.5%

Source: BIS's FTWS 2008

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