

WORKERS' RIGHTS – ACCESS, ASSERTION, AND KNOWLEDGE IN MINING

The ability for workers to know and exercise their rights is critical in all fields, especially mining, where safety is crucial and mistakes can cost lives. In an attempt to understand how to best study workers' rights in the mining industry, the Department of Labor (DOL) and their Mine Safety Health Administration (MSHA) contracted a study with the Eastern Research Group (ERG) to develop a measure for Workers' Rights – Access, Assertion, and Knowledge (WRAAK) or "voice" and to pilot test methods for collecting data on WRAAK from miners. WRAAK in the workplace is "workers' ability to access information on their rights in the workplace, their understanding of those rights, and their ability to exercise these rights without fear of discrimination or retaliation." While the pilot survey did not produce a representative sample, with only 38 respondents, it brought to light interesting results that call for further investigation.

Difficulty in Reaching the Mine Worker Population

Studying WRAAK in the mining industry provides unique factors that require a special approach. This includes the nature of mining work; the complex relationships between miners, operators, and regulators; and the close-knit nature of mining communities.

Collecting survey data from miners is complicated by several factors. First, based on MSHA's most recent data, there are approximately 262,000 miners in the United States. A random digit dial survey would find it difficult to obtain responses from this population at a reasonable cost. Second, there are complex relationships between miners and operators. In some cases, miners may feel a loyalty to their employers and may not want to divulge harmful information about their employer. In other cases, miners may be concerned that taking the survey would lead to some form of retaliation (e.g., termination, loss of good shifts, etc.) from their employer. These complexities led to the need for the approaches considered under this project.

Previous research has suggested that limited job alternatives and a perceived or real risk of retaliation discourage miners from exercising voice. However, worker voice can be strengthened by worker knowledge and understanding of their rights; quality leadership and good management-employee relationships; and the severity of a problem.

Results

ERG was able to collect responses from 38 miners in West Virginia and Pennsylvania using two collection methods, distributing surveys at state grantee training programs and posting advertisements in newspapers. As discussed, the unique nature of the mining industry can make it difficult to study. Newspaper advertisements proved to be costly and inconsistent. Conversely, state grantee trainers were generally supportive of the survey but felt a conflict of interest in distributing it, often wanting to get permission from mine leadership first. To increase response rates, the survey might need to be made mandatory under the grants program to alleviate the pressure trainers feel not to distribute it.

With only 38 responses collected, the sample was not representative, meaning that the results cannot be generalized to the mining population as a whole, but instead to just those who responded. However, those who did respond provided some interesting findings. The results of the small sample size of this pilot study can be used in the future to help shape the design of research on miners' voice.

Of those who did take the survey, overall, respondents had a strong understanding of their rights under the Mine Safety Act and a majority of those aware of their rights were willing to act on certain rights. Safety was a concern for the respondents. While nearly 70% of respondents reported being able to recognize a violation when it happens, around 40% of respondents felt some reservation about exercising their rights. Mistrust in management played a role in deterring respondents from exercising their rights. Respondents who had a better understanding of their rights and those that had used more of MSHA's materials tended to be the ones who felt freer to exercise their rights.

WRAAK: Further Exploration

The pilot study produced interesting findings that indicate this is an area where more research needs to be done. The data collected in the survey provide some support for the conceptual model of voice, but a larger sample must be taken to test this finding. A sample much larger than the 38 sampled for this pilot will need to be taken for a study to be able to generalize findings throughout the mining industry. The largest barrier in collecting this data is reaching the mine workers themselves. Some thought will need to go into this as newspaper advertisements proved to be costly and provided few results, while surveying during required trainings may have made trainers uncomfortable since they are providing services for the mines. Some possible solutions could be to require surveys be distributed at grantee trainings or to utilize emerging delivery mechanisms, such as social networking, in future data collections.

This research was conducted by Eastern Research Group (ERG) for the Mine Safety Health Administration in the U.S. Department of Labor (DOL) and was sponsored by DOL's Chief Evaluation Office. The full report contains further analysis and discussion. The report is available on the U.S. Department of Labor website at www.dol.gov/asp/evaluation/.