

Appendix C: OMB Package

Voice in the Workplace Evaluation Clearance Package
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PART A: SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT
SUBMISSION

Pilot Surveys of Employee Voice in the Coal Mining Industry

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PART A: SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

The Chief Evaluation Office (CEO) within the U.S. Department of Labor (DOL) Office of the Assistant Secretary for Policy (OASP) intends to evaluate the extent to which employees in U.S. workplaces can and do voice their concerns to employers regarding various workplace issues. To that end, CEO is currently working to develop surveys to measure voice in U.S. workplaces. DOL recognizes that gathering data on voice from employees in the mining industry poses some unique problems; therefore, with the guidance of the Mine Safety and Health Administration (MSHA), CEO intends to perform a pilot study of two or three survey implementation techniques to determine which would be the most productive and logistically feasible to implement industry-wide on a recurring basis.

The survey is an information collection (IC) subject to OMB approval under the Paperwork Reduction Act. The pilot study will *not* seek to gather data from samples large enough to develop statistically significant data, but is meant to test the logistical feasibility of different methods of collecting survey data in the mining industry; consequently, no Supporting Statement part B has been prepared at this time. The pilot study Following this pilot study, DOL intends to use the results to the pilot to inform a full-scale data collection. DOL will develop a part B for the full-scale study to measure employee voice in mining. The pilot study will also serve as a thorough test of the survey instrument developed to measure employee voice in the industry sectors under MSHA jurisdiction. Eastern Research Group has been awarded a contract to perform the actual study work and National Opinion Research Center is a sub-contractor.

1. Circumstances Necessitating the Data Collection

DOL defines employee voice as “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.” The rights and responsibilities of workers in the mining industry are defined in the Federal Mine Safety and Health Act of 1977, the Mine Improvement and New Emergency Response Act of 2006 (MINER Act), and Title 30 of the Code of Federal Regulations (30 CFR Parts 1 through 199). MSHA is the agency responsible for providing outreach and training to miners on their rights and enforcing their ability to exercise those rights. These rights include making a complaint of a potential danger or safety or health violation to the attention of the mine operator, requesting a mine inspection from MSHA, and nominating (with another miner) a miners’ representative to accompany mine inspectors during an investigation. By bringing hazardous conditions to the attention of supervisors, other management personnel, or other responsible parties, each individual mine worker contributes to the prevention of workplace injury or illness. In this way, employee voice can be a major contributor to the maintenance of employee safety and health at mining sites.

The major purpose of this pilot study is to develop a measure of employee voice in the coal mining industry (with a feasible data collection method) that is consistent with the measure of voice currently being developed for industries under the jurisdiction of DOL’s Occupational Safety and Health Administration (OSHA) and Wage and Hour Division (WHD). The measure of employee voice in the coal mining industry will include indices of the extent to which mine workers: (1) feel encouraged to report or discouraged from reporting hazardous conditions to a responsible party, (2) are aware of and make use of MSHA outreach resources on miners’ statutory rights, (3) know about their statutory rights with respect to workplace health and safety, and (4) exercise those rights in their workplaces, and the reasons why they do or do not.

DOL is collecting this information to meet its requirements for performance reporting under the Government Performance and Results Act (GPRA) and under its 2011-2016 Strategic Plan. Secretary Solis’ vision of “Good Jobs for Everyone” includes a strategic goal of “assuring fair and high quality work-life environments” with an outcome goal of “ensuring worker voice in the workplace.”¹² Data to be collected under this survey would assist in the development of a measure of employee voice in the mining industry.

The combination of special circumstances surrounding the mining industry—the socio-cultural role of the industry in mining communities, the high-risk nature of the work, the history of workplace catastrophes in coal mines, and the intensity of regulatory attention—necessitates that employee voice be measured with a survey instrument specific to mining employees. Moreover, because mining represents a small subset of the U.S. labor force, implementing the survey poses some special problems. In the absence of a list of miners’ telephone numbers, random digit dialing (the technique often used in surveys with a large universe to be sampled) is impractical. Even if a list of miners’ telephone numbers were available, there are concerns that many mine workers would be unwilling to give candid responses to sensitive questions about their employers and workplaces over the telephone. As a result, alternative data-gathering techniques must be employed.

In this pilot study, CEO will determine which of the following three data-gathering techniques will be the most productive and logistically feasible to implement industry-wide on a recurring basis: (1) administration of a paper survey to miners attending annual new miner and miner refresher training sessions conducted at the state level with MSHA grant funding; (2) use of radio and/or paper advertisements to recruit miners to take the survey by phone or online; and (3) administration of a paper or phone survey to miners by mail (if a suitable sampling frame containing address or phone information can be identified). These techniques and the number of respondents to be surveyed in the pilot test are summarized in the table below.

Table 6. Summary of data gathering techniques and number of respondents.

¹² See DOL’s 2011-2016 Strategic Plan: <http://www.dol.gov/sec/stratplan/StrategicPlan.pdf>.

Data Gathering Technique	Description	Number of Respondents
Phone or internet survey through radio/paper advertisement recruitment	<ul style="list-style-type: none"> An ad is placed on the radio and/or in newspapers recruiting miners to take the survey; the ad provides both a phone number and an email address for respondents. 	<ul style="list-style-type: none"> 125
Paper survey distributed at state grantee miner training sessions	<ul style="list-style-type: none"> Paper survey distributed in miner training sessions run by state grantee organizations. 	<ul style="list-style-type: none"> 125
Mail or phone survey	<ul style="list-style-type: none"> Paper survey distributed and returned by mail. Phone survey conducted by trained phone interviewers. 	<ul style="list-style-type: none"> 125

2. How, by Whom, and for What Purpose the Information Is to Be Used

Secretary of Labor Hilda L. Solis has made *Good Jobs for Everyone* the strategic vision for DOL, characterizing a good job as one that "...is safe and secure and gives people a voice in the workplace." Thus, measuring employee voice in the workplace is essential to tracking DOL's progress towards achieving its strategic goals. CEO and MSHA will conduct this pilot study and gather information about voice in mining workplaces by means of a survey instrument administered in two or three ways (paper survey at state grantee miner training sessions, radio/newspaper ad recruitment of miners, and a mail or phone survey if a sampling frame is available) on a one-time basis. CEO and MSHA will use the information collected to refine the survey instrument and determine which data-gathering technique can be implemented full scale on a regular basis to gather longitudinal data for measuring voice in mining workplaces. That data will help MSHA determine the effectiveness of its outreach efforts to miners, gain insights into reasons why miners are reluctant to voice concerns about workplace hazards, and develop outreach materials addressing those reasons. The data should also assist MSHA in identifying sectors of the mining industry and geographical areas where these problems are greatest, enabling the Agency to target its outreach efforts.

Data from this pilot study will be presented in summary form in a final report that presents recommendations for a refined survey instrument and data-gathering technique. The pilot study is not intended to generate statistically valid or representative data; the final report will explain this, noting that such data will be collected during full-scale implementation.

3. Uses of Improved Technology to Reduce Burden

One of the three data-gathering techniques will involve collection of data through a web-based version of the survey instrument. The purpose of offering a web-based version is to assess the

extent to which it may be used by miners. Experts (see Section 8.C below) consulted during development of this survey, however, felt that there may be few responses via the web, but also felt that it was worth piloting. The web-based instrument would, presumably, offer a less time-consuming method for respondents to complete the survey. However, in estimating burden in Section 12 below, we assumed the same amount of time would be spent by respondents on the web-based version as on the other two versions.

4. Efforts to Identify Duplication

A thorough literature review on employee voice was performed as part of the background research for this task. Numerous online academic databases were searched, including Google Scholar, Scopus, and LexisNexis Academic. No effort to measure voice among U.S. mining employees was found or referenced. While there have been surveys of voice in other industries, none were found that focus on employee voice regarding workplace safety and health issues or employee rights.

We are aware of a study of safety culture in underground coal mining currently being conducted by NIOSH (OMB Control # 0920-0835). The study involves a site visit by the study team to implement a suite of evaluation instruments (including an employee survey) to assess the policies, practices, and attitudes towards safety in the mine in order to provide feedback to mine management. While the study reveals coal miner attitudes towards reporting safety and health hazards, an indirect assessment of voice, the study is not designed to provide longitudinal data on miner understanding of and ability to exercise rights, nor is the study implementation mode practical for collection of nationally representative data. The NIOSH study of safety culture will instead provide useful feedback on the logistics of implementing a survey with coal miners.

DOL is also conducting a parallel effort to establish a survey to measure voice in workplaces under the jurisdiction of OSHA and WHD. That effort does not encompass any of the mining workplaces under MSHA's jurisdiction; this study complements but does not overlap with the OSHA/WHD study.

5. Methods to Minimize Burden on Small Businesses or Entities

No small businesses or entities will be surveyed as part of this study. Implementation of one data collection approach, a paper survey administered during state grantee training sessions, will require cooperation from several coal miner training programs that receive grant funding from MSHA to provide mandatory health and safety training to miners. DOL will minimize the burden on these groups by supplying all information collection materials (detailed instructions, respondent materials, pre-addressed envelopes, and collection box) as well as pre-implementation training and support from personnel on-site. DOL will consult with the training

programs in advance to ensure that this approach will not be burdensome and to make any necessary adjustments.

6. Consequences of Not Collecting the Data

Mining is among the most hazardous private-sector work activities in the United States. The consequences of unabated hazards can be catastrophic, with a single incident having the potential to cause several, sometimes dozens, of fatalities and serious injuries. Although workplaces under MSHA's jurisdiction are subject to intensive regulatory scrutiny, with underground mines receiving quarterly inspections, the nature of mining is such that safety and health hazards can arise quickly and continue unreported if workers do not point them out. To fulfill its mission, therefore, MSHA must help miners recognize hazards, know about their legal rights and protections, and report observed hazards to their employer or responsible parties such as state and MSHA inspectors – all of which depends on mine workers having voice in the workplace. If DOL conducts this pilot study, the Government will have a feasible method of measuring voice in mining workplaces and ultimately will have data to support program improvements to support voice and thus safer workplaces in the mining industry. If this data collection is not performed, the status of employee voice in mines will remain a matter for conjecture, making both enforcement of current rules and prevention of future mine accidents more difficult for MSHA.

7. Special Data Collection Circumstances

No inconsistency with OMB guidelines is anticipated for this data collection. The purpose of this pilot test is not to gather statistically significant data, but to determine the optimum method for gathering such data when the survey is implemented full scale.

8. Federal Register Notice and Response to Public Comments

A. Federal Register Notice

As required by 5 CFR 13.20.8 (d), a Federal Register Notice, published on January 19, 2012 (FR, Vol. 77, No. 12, pp. 2760-2761), announced the pilot survey of miners' voice in the workplace. The Federal Register announcement provided the public an opportunity to review and comment on the planned data collection within 60 days of the publication, in accordance with the Paperwork Reduction Act of 1995. A copy of this Federal Register Notice appears in Appendix D. The full set of comments received is available on the www.reginfo.gov Web site.

B. Response to Comments on Federal Register Notice

Comments on the 60-day Federal Register announcement were received from ten individuals, representing themselves or their affiliated organizations. Several commenters addressed more

than one issue. Overall, the comments addressed seven issues: (1) need for and/or usefulness of the survey, (2) scope of the survey, (3) burden to industry of the survey, (4) survey implementation, (5) content of the survey and survey items, (6) authority under which the survey is being undertaken, and (7) anonymity of survey participants and the companies for which they work.

Necessity/usefulness of the survey

Commenters offered divergent opinions on the extent to which miners understand their workplace safety and health rights. One asserted that “Miner’s rights are well understood by miners and additional surveys are not needed,” while another stated that “...miners tend to be very uninformed” about their rights and legal protections and a third noted that he “rarely” encounters miners who can recall the rights and responsibilities that are enumerated during new miner courses. The pilot survey of employee voice in the coal mining industry will provide data to help clarify the extent to which miners understand their rights.

Commenters also disagreed about whether data from the survey will be useful to MSHA. One commenter asserted that the survey “is not necessary for the performance of the functions of the Mine Safety and Health Administration” and that “[t]he information will not have a practical utility.” On the other hand, another commenter said that “[it] was very well known [if] you wanted to keep your job you never said nothing to State or MSHA inspectors bad about any equipment or any boss or the coal company.” This comment speaks directly to the need for a survey about miners’ willingness to voice their concerns in the workplace, which is important for MSHA to be able to fulfill its mission (see Section 6 of this Supporting Statement).

Scope of the survey

Some commenters suggested that the pilot study be expanded to include additional categories of respondents:

- *Employees of other types of mines (not just coal mines).* DOL is focusing this pilot study on coal mining in order to determine a feasible survey implementation method for this difficult-to-reach audience. Based on a greater understanding of feasible survey implementation methods, DOL would like to include other sectors of the mining industry in future studies and full-scale implementation efforts. DOL believes it is premature to expand the scope of the survey at this time.
- “[A]ll mining communities,” including “small and large mines, union and non-union mines.” See above.

- *Mine management personnel above the level of “first line supervisor” (currently screened out of survey).* Mine managers are the *receivers* of mine safety and health concerns from mine workers and foremen. Thus, it is unnecessary to ask managers about their willingness to voice safety and health concerns to themselves.

Burden to Industry

Two commenters expressed concern that the survey will represent a burden to the mining industry: “MSHA cannot stop production for this type of activity,” and “[the survey] is a burden to the mining industry.” DOL has been careful to select survey implementation techniques for feasibility testing that do not involve mine operators and thus impose no burden on the operators.

Implementation Issues

Commenters identified two issues having to do with survey implementation:

- *Implementation at mines.* One commenter expressed concern that administering the survey at a mine, or providing a survey website URL on a bulletin board at a mine, could result in skewed responses: “a lopsided survey showing a perfect mine.” DOL has been careful to select survey implementation techniques for testing that do not involve mine sites – and that provide anonymity (see below), so participation in the survey will not negatively affect a respondent’s relationship with his or her employer.
- *Anonymity.* Several commenters expressed concern that a lack of anonymity might affect respondents’ willingness to participate and/or their responses. Because DOL concurs with this concern, the Department has been careful to select survey implementation techniques for testing that protect anonymity and confidentiality. At training sessions, each respondent will seal the completed survey in a plain envelope and place it into a locked box that will be opened only by the survey contractor; respondents will be asked not to write their name on surveys. Similarly, phone, online, and mail surveys (if implemented) would not involve identifying respondents to the survey or associating someone’s identity with their responses to the survey.
- *Literacy.* A commenter noted that “some miners still struggle with reading and writing” or lack the computer skills necessary to complete an online survey. To help mitigate these issues, DOL has written the survey instrument in a low-literacy format, and none of the survey implementation techniques to be tested relies solely on an online format (i.e., in the second implementation technique, respondents may take the survey by phone *or* online).

Survey Content

Several commenters made observations about the content of the survey:

- *Lack of metal/non-metal mining content.* As noted above, DOL intends to include metal/non-metal mine workers in the future and will refine the survey to be more inclusive at that time.
- *Potentially identifying questions.* Some commenters objected to questions asking for information about the respondent:
 - Union membership. Responses to this question will help DOL determine whether a relationship exists between union membership and measures of voice, thereby enabling MSHA to refine its outreach efforts if appropriate. As personally identifying information will not be collected, DOL will not be able to identify respondents based on their response to this question. Furthermore, as more fully explained in item 10, all responses that could identify specific respondents will be kept only by the contractor for use in analysis. Any data received by DOL will not contain personal identifiers.
 - Name of respondent's mine. Answering this question reduces burden by enabling the respondent to skip the next set of questions; anyone who feels uncomfortable answering this question may instead answer the next set of questions.
 - Ethnicity. This is a standard question on many Federal government surveys (e.g., U.S. Census) and will not be used to identify respondents. The purpose of collecting this information is to be able to assess whether ethnicity is associated with DOL's measure of voice. If so, there may be some need for targeted outreach materials from MSHA.
- *Consistency with OSHA/WHM survey.* One commenter suggested making the survey more consistent with the OSHA/WHM survey. DOL has endeavored to do so, but some questions must differ because (1) some of the more general OSHA/WHM survey questions do not apply to miners and (2) the mining survey is intended to focus on voice in terms of safety and health hazard reporting.
- *Bounds on respondent injury/illness.* For certain survey questions, one commenter suggested asking about *all* injuries/illnesses suffered over a specified time period (e.g., 6 or 12 months) rather than just the *last* injury/illness. These questions were carefully worded in accordance with good survey practice to provide a broad but easily remembered frame of reference (the "last" injury or illness the respondent suffered). Also, limiting the question to a specific time period is unnecessarily restrictive; doing so could miss the experiences of respondents who suffered an injury/illness more than 6 or 12 months ago.
- *Miners' representatives.* The same commenter suggested adding several items to reflect the details of the rights of miners' representatives. In response to this comment, DOL has reworded some questions to include the following language: "the right to select a representative to participate in all aspects of an inspection" (underlined words identify added

text). This commenter also suggested including a series of items about other rights of miners' representatives. DOL considers these recommendations for questions to be out of the scope of the survey, since the intention is to gather information about knowledge of miner rights, not miners' representative rights.

- *Equipment permissibility.* One commenter suggested adding survey question(s) about permissibility on equipment (30 CFR part 18 and parts 75-500 through 75-900). The survey includes a question on miners' knowledge of their right to refuse to operate equipment for which they are not properly trained and their willingness to exercise that right. DOL considers additional questions related to enforcement or inspection approaches to be out of scope for this survey.
- *Trust in MSHA.* The United Mine Workers of America (UMWA) commented that the survey should include questions related to whether miners trust MSHA. In response, DOL added questions to the final versions of the instrument to ask miners about their trust in MSHA.

Authority

One commenter stated that the Mine Act of 1977 and MINER Act of 2006 “do not provide for of [sic] collection of this information.” DOL is not proposing to collect these data under the Mine Act of 1977 or MINER Act of 2006. As discussed in Section 1 above, DOL is collecting these data to meet its requirements for performance reporting under the Government Performance and Results Act (GPRA) and under its 2011-2016 Strategic Plan. The data collected under this survey would assist in the development of a measure of employee voice in the mining industry.

This commenter also stated that “Questions about mine management are not pertinent to the health and safety of the miner” and “MSHA has no right to question how a mine is operated.” DOL disagrees with these opinions. In regards to the first statement (“Questions about mine management are not pertinent to the health and safety of the miner”), DOL contends that mine management can potentially have a significant influence on miner health and safety. Furthermore, DOL also contends that the questions being asked are pertinent to understanding miners' abilities to exercise their rights. In regards to the second statement (“MSHA has no right to question how a mine is operated”), this survey is not making value judgments on how mines are operated (i.e., DOL is not questioning *how* a mine is operated). Rather, DOL is asking factual questions to better understand how mines deal with miners' rights issues. Additionally, DOL contends that the questions being asked are pertinent to understanding miners' abilities to exercise their rights.

C. Consultations Outside the Agency

Consultations on research design, data collection, approaches, and survey instrument design are part of the design phase of the study of voice in mining workplaces. The consultations are aimed at ensuring the technical soundness of the study methods and verifying the importance, relevance, and accessibility of the information sought in the study. To those ends, experts from a technical working group (TWG) were consulted:

TWG

Dr. John Budd, Professor of Industrial Relations, University of Minnesota

Dr. Larry Grayson, Professor of Energy and Mineral Engineering, College of Earth and Mineral Sciences, Penn State

Ms. Pauline Kim, Professor of Law, Washington University

Ms. Nancy Lessin, Program Coordinator, United Steelworkers - Tony Mazzocchi Center

Dr. Alison Morantz, Professor of Law & John A. Wilson Distinguished Faculty Scholar, Stanford Law School

DOL also instructed its ERG and NORC to conduct a set of nine cognitive interviews with miners in January and February of 2012 using a draft survey instrument (the version made available as part of the 60-day Federal Register Notice). The purpose of the cognitive interviews was to assess the efficacy of the survey instrument and identify potential refinements. DOL incorporated refinements stemming from the cognitive interviews, resulting in the versions of the instrument contained in Appendices A through C of this package.

9. Respondent Payments

Respondents will not receive any payments or gifts for participating in this information collection.

10. Confidentiality

While there is no express assurance of confidentiality that cannot be supported by law, the design of the data collection will often allow responses to be anonymous. Survey respondents will be assured of the privacy, to the extent available under law, of their responses through language placed prominently on all respondent materials as well as introductory comments made by an interviewer (in the case of a phone interview) or survey distributor (in the case of the paper surveys administered during state grantee training sessions). In the latter two cases, these individuals will be trained on the privacy of responses and will be prepared to describe the policy in detail, provide examples, and respond to any related questions from participants. For example, the interviewer or distributor will explain that an individual's answers will be combined with those of others and presented in summary form only, and that DOL will not have access to the

names of participants. All respondent materials will contain the following text: “Individual responses to these surveys will not be shared with any employer, union, government agency. We do not ask for your name. We will protect your privacy to the greatest extent allowed by law.”

All responses that could identify specific respondents will be kept only by the contractor, ERG, for use in analysis. Any data received by DOL will not contain personal identifiers, thus precluding individual identification. Public use data files produced at the end of the study will follow the current OMB checklist on confidentiality to ensure that they can be distributed to the general public for analysis without restrictions and without identification of sample members.

11. Questions of a Sensitive Nature

There are no questions of a sensitive nature in the survey instrument. A few survey items ask miners for frank assessments of employer attitudes and actions in response to the reporting of safety hazards, which might be perceived as sensitive to some individuals. This information is crucial to developing a measure of miners’ voice in the workplace. Based on an agreement between the contractor and CEO, the identity of individual respondents (and non-respondents), as well as each individual’s responses to specific survey items, will be kept private and all survey materials will emphasize this. No individual will be identified as a respondent to MSHA, DOL, union officials, or employers. Additionally, survey questions were pretested through cognitive interviews with a small set of individuals with experience working in the coal mining industry in order to identify and refine questions that might be problematic for potential respondents.

12. Hour Burden of the Collection of Information.

The total burden of this information collection is estimated at 156.25 hours, as outlined in the table below.

Table 7. Estimation of burden hours by data gathering technique.

Type of Respondent	Form Name	No. of Respondents	No. Responses per Respondent	Average Burden per Response (in hours)	Total Burden Hours
Coal Miners	Pilot Survey of Miners’ Voice in the Workplace (Ad Recruitment)	125	1	25/60	52.08
Coal Miners	Pilot Survey of Miners’ Voice in the Workplace (Paper Survey)	125	1	25/60	52.08
Coal Miners	Pilot Survey of Miners’ Voice in the Workplace (Mail or Phone)	125	1	25/60	52.08
Total	All	375	1	25/60	156.25

The annualized cost to respondents was estimated to be the burden hours estimate multiplied by the median hourly wage estimate (Source: Occupational Employment Statistics, Bureau of Labor Statistics). DOL used the median wage estimate (\$21.13) for Mining Machine Operator (SOC 475049) because this wage falls in the middle of the range of wages for coal mining occupations.¹³ DOL multiplied this median wage by 1.4 to capture benefits, resulting in a loaded hourly median wage rate of \$29.58.

Table 8. Annualized cost to respondents.

Type of Respondent	Total Burden Hours	Hourly Wage Rate ¹⁴	Total Respondent Costs
Coal Miners	156.25	\$29.58	\$4,622

13. Estimated Total Annual Cost Burden to Respondents and Record Keepers

The pilot test survey does not impose capital, start up, maintenance, or operation costs on the respondents.

14. Estimated Annualized Cost to the Federal Government

This 2-year pilot study involves development of a survey instrument, implementation of the survey on a small scale using two or three data-gathering techniques, and analysis of results to develop recommendations for full-scale implementation. The annualized cost to the Federal government is estimated to be \$250,000, which is the total contractor cost of conducting the project. Of the \$500,000 over two years, approximately \$350,000 was budgeted for survey development costs (e.g., instrument development, implementation design, cognitive interviewing related to the instrument, etc.) and \$150,000 was budgeted for survey implementation. There are no other costs to the Federal government for implementation.

15. Changes in Burden

This is a new program.

¹³ The occupation “Extraction workers, all others” (475099) in the Coal Mining industry has an hourly median wage of \$19.96, while the occupation of “Continuous Mining Machine Operator” (475041) – a position requiring considerable skill and experience – has an hourly median wage of \$24.02.

¹⁴ <http://www.bls.gov/news.release/ocwage.htm>; wage has been increased by 40% to include benefits.

16. Publication Plans and Project Schedule

The results of the pilot test will not be published, but will be presented in a report to CEO. DOL will collect information via the two or three data-gathering techniques being pilot tested, enter responses into a spreadsheet or database, tabulate responses for survey questions, and analyze the data to (1) identify opportunities to refine the survey instrument and determine which data-gathering technique is most feasible for full-scale implementation. The latter analysis will take into account details of each administration method, such as staff time expended per completion, logistical problems of administration, and any extraordinary or unexpected problems encountered.

Table 9. Schedule for Project tasks.

Tasks	Schedule
Implement data collections (all modes)	July 2012 to August 2012 (pending OMB approval)
Perform data analyses	August 2012 to September 2012
TWG review of results	October 2012
Final Report	November 2012
Final Briefing	December 2012
Public Data File	December 2012

17. Reasons for Not Displaying Expiration Date of OMB Approval

Not applicable. The collection instrument will display the expiration date.

18. Exceptions to the Certification Statement.

No exceptions are being requested.

National Survey of Miners' Voice in the Workplace

Implementation Mode: Self-Administered

The following survey is the self-administered version. This version will be implemented by distributing paper copies of the instrument to miners attending state grantee training sessions. Recruitment will be done through MSHA state grantee coordinators, state grantee program representatives, and training session instructors. This version includes skip patterns and visual elements (font size and color, pictures) to help respondents understand and respond to the questions.



National Survey of Miners' Voice in the Workplace

OMB Control No. 1219-0149. Expires 01/31/2016



Thank you for answering some questions about mine safety and health!

- **Your honest answers are very important.**
They will help MSHA promote safe work practices in mines.
- **Individual responses to these surveys will not be shared with any employer, union, government agency.** We will protect your privacy to the extent allowed by law. Please do not provide your name or any other identifying information.
- **If you have any questions about this survey:**
Call Eastern Research Group, Inc. (ERG) at **1-855-275-1348**. ERG is conducting this survey for the Department of Labor.

To report a safety or other problem: Call MSHA's Hotline at 1-800-746-1553.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is voluntary. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor-OASP, Chief Evaluation Office, Room S-2312, 200 Constitution Avenue, N.W., Room N-1301, Washington, DC 20210. Note: Please do not return the completed survey to this address.

Please answer these questions to see if you can take this survey.

a) I work in coal mining or I have worked in coal mining in the last 2 years.

Yes **Go to question b) below.**

No **You are all done! Please put the survey in the envelope and then put the envelope in the box.**

b) I am a: **(please select only one)**

Miner **Please go to next page to begin the survey.**

Front Line Supervisor or Foreman **Please go to next page to begin the survey.**

Mine Manager **You are all done! Please put the survey in the envelope and then put the envelope in the box.**

Your answers are anonymous.

1. I work in a union mine.

- Yes
- No
- Don't know

2. I belong to a union.

- Yes [Go to Question 4](#)
- No [Go to Question 3](#)

3. I belonged to a union within the last 2 years.

- Yes
- No

“Safety hazard” means a condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

“My mine” means the mine site where you work (or where you last worked).

4. Please tell us how much you agree with these statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
I trust my mine management to provide a safe workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My mine is a safe mine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If I point out a safety hazard , my mine management fixes the problem.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I can point out a safety hazard without worrying about the consequences.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If I could, I would leave my job to work at a different mine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your answers are anonymous.

5. I can tell my mine management about a safety concern by using our: (check all that apply)

- Suggestion system
- Regular meetings with supervisors
- Hotline
- Other: (please specify) _____
- None of the above

6. My mine management gives me information about my mine safety rights by: (check all that apply)

- Posting information on a bulletin board
- Providing or paying for safety training
- Holding regular meetings to discuss safety issues
- Other: (please explain) _____
- None of the above

7. Please tell us how much you agree with these statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
I know where to get information about my mine safety rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I know enough about the Mine Act to recognize a violation when it happens.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

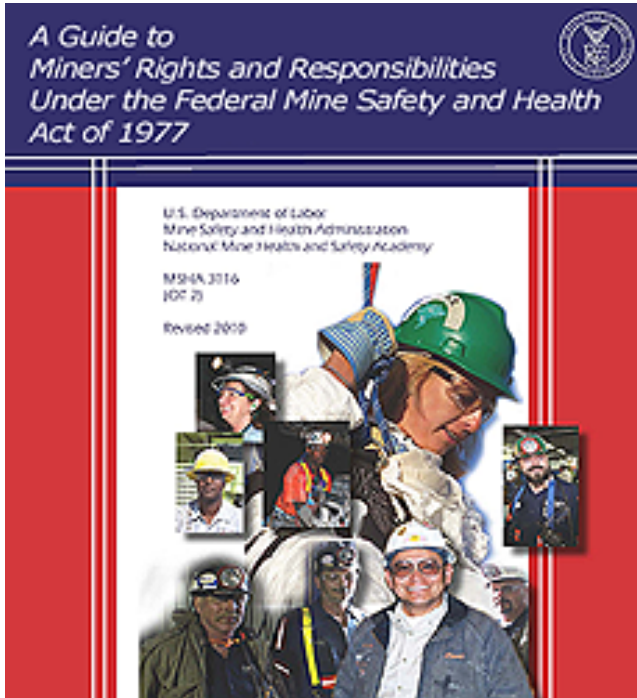
8. If I wanted to learn more about my mine safety rights, I would:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Ask a coworker.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask my supervisor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask someone in mine management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask the safety committee.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask someone at the mine office.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask a miners' representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask a union representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talk to a state or federal mine inspector.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Read a brochure or poster at my mine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visit the MSHA website. (www.msha.gov)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your answers are anonymous.

Please tell us what you think about these MSHA materials.

A Guide to Miners' Rights and Responsibilities under the Federal Mine Safety and Health Act of 1977 (Brochure)



9. Have you seen it?

- Yes
- No [Go to next picture](#)

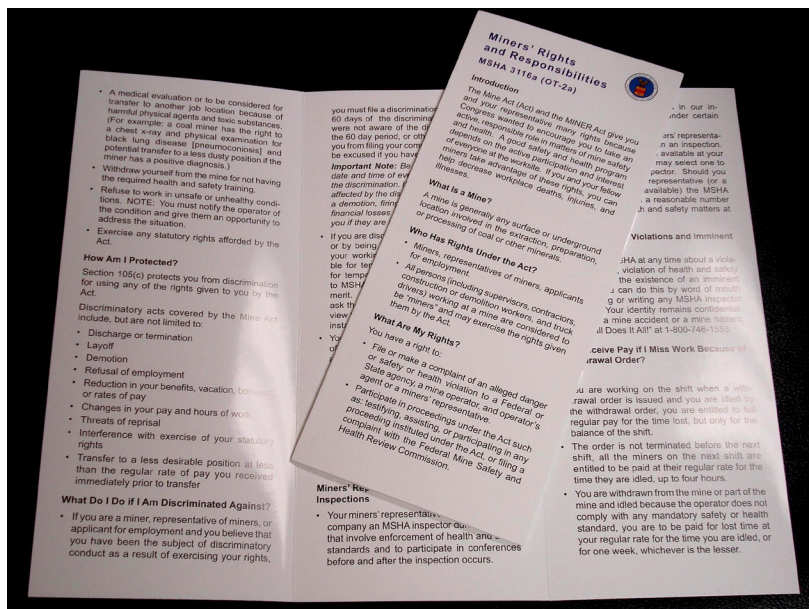
10. Have you read it?

- Yes
- No [Go to next picture](#)

11. Would you recommend it?

- Yes
- No

Miners' Rights (Trifold pamphlet)



12. Have you seen it?

- Yes
- No [Go to next picture](#)

13. Have you read it?

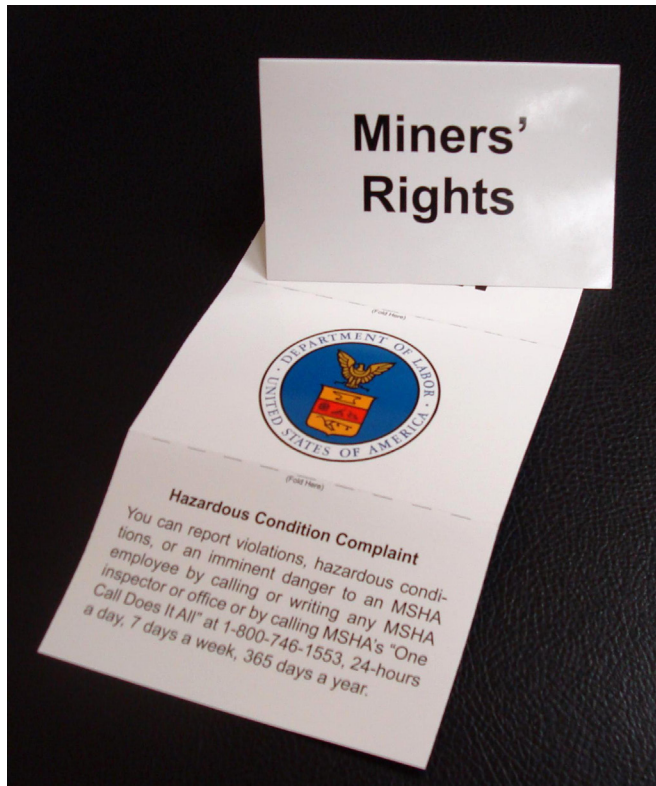
- Yes
- No [Go to next picture](#)

14. Would you recommend it?

- Yes
- No

Your answers are anonymous.

Miners' Rights (Small Card)



15. Have you seen it?

- Yes
 No [Go to next picture](#)

16. Have you read it?

- Yes
 No [Go to next picture](#)

17. Would you recommend it?

- Yes
 No

One Call Does it All (Telephone Hotline)

An advertisement for MSHA's "One Call Does It All!" telephone hotline. The text is in large, bold, red and blue fonts. It says "ONE CALL DOES IT ALL!" in large red letters, followed by "Immediately Report Accidents to MSHA at" in smaller black text, and "1-800-746-1553" in very large red letters. Below that, it says "24 Hours a Day, 7 Days a Week, 365 Days a Year". There is a blue graphic of a hand holding a telephone receiver. The text "IT'S THE LAW!" is written in red. At the bottom, there is a small text block: "Beginning December 8, 2006, mine operators are required by the Emergency Mine Evacuation Final Rule to call the MSHA Call Center at 1-800-746-1553 to notify MSHA of immediately reportable accidents. Mine operators are required to notify MSHA immediately, but in no case later than 15 minutes after they know or should know an accident has occurred. For more information, visit www.msha.gov." At the very bottom is the MSHA logo: "United States Department of Labor" in a red box, "MSHA" in large blue letters, and "Mine Safety and Health Administration" in smaller black letters below it.

18. Have you heard of it?

- Yes
 No [Go to next picture](#)

19. Have you called it?

- Yes
 No [Go to next picture](#)

20. Would you recommend it?

- Yes
 No

Your answers are [anonymous](#).

MSHA.gov (Website)

21. Have you heard of it?

- Yes
 No [Go to next picture](#)

22. Have you visited it?

- Yes
 No [Go to next picture](#)

23. Would you recommend it?

- Yes
 No

Miners Rights (Poster)

24. Have you seen it?

- Yes
 No [Go to Question 27](#)

25. Have you read it?

- Yes
 No [Go to Question 27](#)

26. Would you recommend it?

- Yes
 No

Your answers are [anonymous](#).

The following questions ask about your knowledge of your rights under the Mine Safety and Health Act. This is not a test. Your answers will help MSHA know how to tell miners about their rights.

“Fully aware” means you knew about the right. You would not need to ask.

27. Before taking this survey, I was **fully aware** that I have the legal right to:

	Yes, I was aware.	No, I was not aware.
Make a complaint about a possible danger or safety violation to my mine management.	<input type="checkbox"/>	<input type="checkbox"/>
Tell MSHA or a state agency about a possible safety hazard.	<input type="checkbox"/>	<input type="checkbox"/>
Choose a representative to participate in all aspects of a mine inspection.	<input type="checkbox"/>	<input type="checkbox"/>
Get an X-ray for signs of Black Lung, paid for by my employer.	<input type="checkbox"/>	<input type="checkbox"/>
Ask to transfer to a less dusty job if I am diagnosed with Black Lung.	<input type="checkbox"/>	<input type="checkbox"/>
Refuse to operate equipment I am not trained to use, and tell my supervisor.	<input type="checkbox"/>	<input type="checkbox"/>
Refuse to work in conditions I believe to be unsafe.	<input type="checkbox"/>	<input type="checkbox"/>
Complain to MSHA if I have been retaliated against for exercising my rights under the Mine Act.	<input type="checkbox"/>	<input type="checkbox"/>

Your answers are anonymous.

“Comfortable” means that you could exercise the right without fearing retaliation or negative consequences.

28. At my mine, I would feel **comfortable**:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Making a complaint about a possible danger or safety violation – to my mine management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telling MSHA or a state agency about a possible safety hazard.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Choosing a representative to participate in all aspects of a mine inspection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Getting an X-ray for signs of Black Lung, paid for by my employer.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asking for a transfer to a less dusty job if I am diagnosed with Black Lung.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refusing to operate equipment I am not trained to use, and telling my supervisor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refusing to work in conditions I believe to be unsafe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Complaining to MSHA if I have been retaliated against for exercising my rights under the Mine Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your answers are **anonymous**.

“Safety hazard” means: A condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

29. If I saw a **safety hazard**, I would:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Fix the hazard myself.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell someone outside the mine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell a coworker.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell a union representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell a miner’s representative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell my supervisor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell my mine management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell the mine inspector next time they come to the mine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Call MSHA’s hotline.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Call MSHA’s field or district office.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tell a state agency.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not say anything.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do something else? (please describe) _____

“Safety hazard” means: A condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

30. The *last* time I saw a **safety hazard, I told someone at my mine or a federal or state agency:**

- Yes **Go to question 32**
- No **Go to question 31**
- I have never seen a safety hazard. **Go to question 38**

31. I did not tell anyone about the **safety hazard because: (check all that apply)**

- Someone else told before I had the chance.
- The hazard was fixed before I could tell anyone.
- The hazard was going to be fixed whether I told someone or not.
- I didn’t know who to tell.
- I didn’t know how to tell someone.
- I was concerned about being treated differently by my:
 - Mine management
 - Supervisor
 - Coworkers
- I was concerned that it might close the production area and cost time off the job.
- Other: **(please describe)** _____

Now go to question 38

32. I told: (check all that apply)

- Someone outside the mine
- A coworker
- My supervisor
- Some other supervisor or person in a position of authority.
- A union representative
- A miner’s representative
- A mine inspector
- MSHA field or district office
- MSHA hotline
- State government agency
- Other: **(please describe)** _____

33. After I reported the hazard: (check all that apply)

- I'm not sure what happened.
- The hazard was fixed.
- The hazard was not fixed.
- Someone was injured.
- That section of the mine was closed for a while.
- The mine operator got a citation for a safety violation.
- Other: **(please describe)** _____

34. After I reported the hazard, I felt some negative reaction from my coworkers:

- Yes **Go to question 35**
- No **Go to question 36**

35. The negative reaction from my coworkers included: (check all that apply)

- "Silent treatment."
- Left out of social get-togethers outside of work.
- Lost friendships.
- Criticism or teasing.
- Mild threats.
- Other **(please describe)**: _____

36. After I reported this hazard, I felt some negative reaction from management.

- Yes **Go to question 37**
- No **Go to question 38**

37. The negative reaction from management included: (check all that apply)

- Lost my job.
- Lost work hours.
- Lost "perks" (such as time off for personal matters, use of company vehicle, etc.).
- Transfer to a worse job.
- Reassignment to another shift, or rotated between shifts.
- Lost pay, or had pay cut due to work reassignment.
- Lower raise or lower bonus than expected.
- More frequent on-the-job discipline or criticism.
- Unexpected drug/alcohol test.
- Other: **(please describe)** _____

Your answers are anonymous.

38. I trust MSHA to:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Stand up for my rights as a miner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keep what I tell them confidential (not tell my employer).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

39. In the past two years, I had at least one mining-related injury or illness that needed medical attention beyond first aid:

- Yes [Go to question 40](#)
- No [Go to question 42](#)

40. I told my mine management about the *last* injury or illness I had that needed medical attention?

- Yes [Go to question 42](#)
- No [Go to question 41](#)

41. I did not report the injury or illness because I did not want to: [\(check all that apply\)](#)

- Lose a bonus or prize for myself.
- Lose a bonus or prize for coworkers.
- Face discipline or criticism.
- Face a drug/alcohol test.
- Break the mine's record for low numbers of reportable or lost-time accidents.
- Be seen as an accident-prone or careless worker.
- Go through a workers' compensation investigation.
- Other: [\(please describe\)](#) _____

42. How *free* do you feel to exercise your rights in your mine without fear of retaliation?

Not Free At All				Extremely Free
1	2	3	4	5

Your answers are [anonymous](#).

To finish this survey, please tell us a little more about you and your mine.

We do not ask for your name. We will protect your privacy to the greatest extent allowed by law.

43. What is the name of the mine you currently work in?

_____ Mine Name

I don't know

I do not want to name my mine.

[Go to question 50](#)

[Go to question 44](#)

[Go to question 44](#)

44. I work in:

Underground - Coal

Surface - Coal

45. I work for a contractor.

Yes

No

46. My job title/role is:

Beltman/Boom Operator

Car Dump/Grizzly/Screen

Cleanup/Ventilation

Electrician

Haul, Dump

Hoist/Cage/Skip

Laborer

Loading Machine Operator

Mechanic/Maintenance

Mining Machine Operator

Powderman/Blaster

Rail Transportation And Hauling

Rock/Roof Bolter

Supervisor/Foreman

Technical/Professional/Clerical

Timberman/Jacksetter

Truck Driver

Welder/Machinist

Other: [\(please describe\)](#) _____

47. Every year, my mine produces: [\(please estimate\)](#)

Less than 50,000 tons of coal

50,000 – 100,000 tons of coal

100,000 – 500,000 tons of coal

500,000 – 750,000 tons of coal

750,000 – 1,000,000 tons of coal

1,000,000 or more tons of coal

Don't know

Your answers are [anonymous](#).

48. The total number of workers at my mine is: (please estimate)

- 1 to 9
- 10 to 19
- 20 to 34
- 35 to 99
- 100 to 249
- 250 or more
- Don't know.

49. The total number of workers at *all* mine sites managed by my mine company is: (please estimate)

- 1 to 19
- 20 to 99
- 100 to 249
- 250 to 500
- 500 to 1,000
- 1,000 to 3,000
- 3,000 or more
- Don't know

50. I have worked for my current employer for:

___ years

51. I have worked at my current location for:

___ years

52. I have worked with my current supervisor or foreman for:

___ years

53. The highest level of education that I have completed is:

- Some High School
- High School degree or GED
- Associates degree
- Trade, technical, or vocational education
- College degree
- Postgraduate degree

Your answers are anonymous.

54. Are you, yourself, of Hispanic or Latino origin or descent, such as Mexican, Puerto Rican, Cuban, or other Spanish background?

- Yes, I am of Hispanic or Latino origin or descent.
- No, I am not of Hispanic or Latino origin or descent.

55. What is your race? (please select one or more)

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

56. Is there anything else you would like to tell us about your freedom to exercise your rights in your workplace? (please describe in the space below and do not include your name or other identifying information)

Your answers are anonymous.

Thank you!

Please put your survey in the enclosed envelope, and mail it.

The results of this survey will help MSHA give coal miners better information about their rights.

**To report a safety or other problem:
Call MSHA's Hotline at 1-800-746-1553.**

If you have any questions about this survey, please call ERG at 1-855-225-1348.

Who is ERG? ERG is a private consulting firm (website: www.erg.com) hired by the Department of Labor to conduct this survey. ERG will keep all information from this survey anonymous. The Department of Labor will never see the names of people who complete this survey.

This survey is estimated to take 25 minutes to complete.

National Survey of Miners' Voice in the Workplace

Implementation Mode: Telephone Interview

The following survey is the phone version. This version will be implemented by recruiting miners to call an 800 number to take the survey. Recruitment will be done through advertisements placed in local newspapers and radio stations in a test market. This approach was recommended by the Technical Working Group for this project.

The skip patterns for this version will be programmed into a Computer Assisted Telephone Interviewing (CATI) software program. Given that this version is being done over the phone, no visuals are possible or needed. Thus, the script reflects what will be read to respondents who call the 800 number. Additionally, the wording and format for some questions were altered to fit the phone implementation. Specifically, questions where respondents are asked to “select all that apply” from a list of potential items were transferred into a set of yes/no questions or an open-ended question where list items are coding options for the interviewer.

This document uses the following conventions:

- Text that the interviewer will read, excluding actual question and response option wording, appears in italics.
- Instructions for CATI coding (e.g., skip patterns) appear in hard brackets (e.g., “[...]”).
- Instructions for the interviewer (e.g., what to read, etc.) appear in curly brackets (“{...}”).

For questions 9-26 which ask whether miners are aware of, read, and would recommend specific MSHA outreach materials, the interviewer may make minor adjustments for text flow. For example, from the second item onward, the read-out text starts with “Next, I would like to ask about...”. Interviewers may vary from that text to make the interview more conversational.

Finally, we have included refusal codes (coded as “99”) to allow respondents to refuse to answer specific questions. This is necessary in a phone script.

National Survey of Miners' Voice in the Workplace
OMB Control No. xxxx-xxxx. Expires xx/xx/2014

Implementation Mode: Telephone Interview

This survey is estimated to take 25 minutes to complete.

[Interviewer introductory text]

First, your honest answers are very important. They will help MSHA promote safe work practices in mines. Second, individual responses to these surveys will not be shared with any employer, union, government agency. Your answers are voluntary, and the survey is expected to take about 25 minutes to complete. It has been approved for use under Control Number 1219-XXXX. We could not conduct this survey without that authorization. We will protect your privacy to the extent allowed by law. Please do not provide your name or any other identifying information. If you have any questions about this survey, please call Eastern Research Group, Inc. (ERG) at 1-877-xxx-xxxx. Do you have any questions before we begin? {IF YES – Refer to FAQ to answer.}

SCREENING QUESTIONS

First I would like to ask you a few questions to see if you are eligible to take the survey. Please answer “yes” or “no” to the following questions.

a) Do you work in coal mining or have you worked in coal mining in the last 2 years?

- 01 Yes [Continue to b).]
- 00 No [NOT ELIGIBLE text:] *Thank you for your time. If you are not a current or recent coal mining worker you do not need to complete the rest of the survey. {End survey.}*
- 99 Refused {End survey.}

b) Would you describe yourself as {Read options to respondent} (please select only one):

- 01 A Miner [ELIGIBLE, continue to Questionnaire introductory text.]
- 02 A Front Line Supervisor or Foreman [ELIGIBLE, continue to Questionnaire introductory text.]
- 03 A Mine Manager [NOT ELIGIBLE text:] *Thank you for your time. If you are a mine manager you do not need to complete the rest of the survey. {End survey.}*
- 99 Refused {End survey.}

QUESTIONNAIRE

First, I would like to ask you a few questions about unions. After I read each statement to you, please answer “yes” if the statement is true and “no” if it is not.

{Read question to respondent. Prompt with “yes” and “no” instructions if needed.}

1. I work in a union mine.

- 01 Yes
- 02 No
- 98 Don't know
- 99 Refused

2. I belong to a union.

- 01 Yes [Go to Question 4]
- 02 No [Go to Question 3]
- 99 Refused

3. I belonged to a union within the last 2 years.

- 01 Yes
- 02 No
- 99 Refused

4. Now I would like to ask about your mine. After I read each statement, please tell me if you “strongly agree,” “agree,” “are neutral,” “disagree,” or “strongly disagree.”

{Read statement to respondent. Prompt with response options if needed. Provide the following definition for the statements that include the phrase “safety hazard.” *In this survey, “safety hazard” means: A condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.* Provide the following definition for statements that include the phrase “my mine.” *In this survey, “my mine” means the mine site where you work, or where you last worked.*}

a. I trust my mine management to provide a safe workplace.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. My mine is a safe mine.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

c. If I point out a safety hazard, my mine management fixes the problem.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

d. I can point out a safety hazard without worrying about the consequences.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

e. If I could, I would leave my job to work at a different mine.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

Thank you! Next I would like to ask you about safety practices in your workplace. After I read each statement, please answer “yes” if you agree or “no” if you do not.

5. {Read question to respondent. Prompt for “yes” or “no” answer if needed.} I can tell my mine management about a safety concern by using our:

a. Suggestion system

- 01 Yes
- 02 No
- 99 Refused

b. Regular meetings with supervisors

- 01 Yes
- 02 No
- 99 Refused

c. Hotline

- 01 Yes
- 02 No
- 99 Refused

d. Some other way?

- 01 Yes *What other way?* _____
- 02 No
- 99 Refused

6. {Read question to respondent. Prompt for “yes” or “no” if needed.} My mine management gives me information about my mine safety rights by:

a. Posting information on a bulletin board

- 01 Yes
- 02 No
- 99 Refused

b. Providing or paying for safety training

- 01 Yes
- 02 No
- 99 Refused

c. Holding regular meetings to discuss safety issues

- 01 Yes
- 02 No
- 99 Refused

d. Some other way?

- 01 Yes *What other way?* _____
- 02 No
- 99 Refused

7. Now I would like to ask about mine safety rights. After I read each statement, please tell me if you “strongly agree,” “agree,” “are neutral,” “disagree,” or “strongly disagree.”

{Read question to respondent. Prompt with agreement scale if needed.}

a. I know where to get information about my mine safety rights.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. I know enough about the Mine Act to recognize a violation when it happens.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

8. If I wanted to learn more about my mine safety rights, I would:

a. Ask a coworker.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. Ask my supervisor.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

c. Ask someone in mine management.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

d. Ask the safety committee.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

e. Ask a miners' representative.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

f. Ask a union representative.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

g. Talk to a state or federal mine inspector.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

h. Read a brochure or poster at my mine.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

i. Visit the MSHA website.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

Now I'm going to ask you about materials created by MSHA to tell miners about their rights.

The first item is a 5" by 8" brochure called "A Guide to Miners' Rights and Responsibilities under the Federal Mine Safety and Health Act of 1977". The cover has the title and pictures of miners on a red, white, and blue background.

9. Have you seen this brochure?

- 01 Yes
- 02 No [Go to question 12]
- 98 Don't know [Go to question 12]
- 99 Refused [Go to question 12]

10. Have you read it?

- 01 Yes
- 02 No [Go to question 12]
- 98 Don't know [Go to question 12]
- 99 Refused [Go to question 12]

11. Would you recommend it?

- 01 Yes
- 02 No [Go to question 12]
- 98 Don't know [Go to question 12]
- 99 Refused [Go to question 12]

The next item is a pamphlet called "Miners' Rights and Responsibilities." It's a white trifold pamphlet with the Department of Labor seal and title on the front.

12. Have you seen this pamphlet?

- 01 Yes
- 02 No [Go to question 15]
- 98 Don't know [Go to question 15]
- 99 Refused [Go to question 15]

13. Have you read it?

- 01 Yes
- 02 No [Go to question 15]
- 98 Don't know [Go to question 15]
- 99 Refused [Go to question 15]

14. Would you recommend it?

- 01 Yes
- 02 No [Go to question 15]
- 98 Don't know [Go to question 15]
- 99 Refused [Go to question 15]

The next item is a small folded card with "Miners' Rights" on one side and the Department of Labor seal on the other.

15. Have you seen this card?

- 01 Yes
- 02 No [Go to question 18]
- 98 Don't know [Go to question 18]
- 99 Refused [Go to question 18]

16. Have you read it?

- 01 Yes
- 02 No [Go to question 18]
- 98 Don't know [Go to question 18]
- 99 Refused [Go to question 18]

17. Would you recommend it?

- 01 Yes
- 02 No [Go to question 18]
- 98 Don't know [Go to question 18]
- 99 Refused [Go to question 18]

The next item is MSHA's "One Call Does it All" telephone hotline.

18. Have you heard of this hotline?

- 01 Yes
- 02 No [Go to question 21]
- 98 Don't know [Go to question 21]
- 99 Refused [Go to question 21]

19. Have you called it?

- 01 Yes
- 02 No [Go to question 21]
- 98 Don't know [Go to question 21]
- 99 Refused [Go to question 21]

20. Would you recommend it?

- 01 Yes
- 02 No [Go to question 21]
- 98 Don't know [Go to question 21]
- 99 Refused [Go to question 21]

The next item is the MSHA.gov website.

21. Have you seen this website?

- 01 Yes
- 02 No [Go to question 24]
- 98 Don't know [Go to question 24]
- 99 Refused [Go to question 24]

22. Have you visited it to find information?

- 01 Yes
- 02 No [Go to question 24]
- 98 Don't know [Go to question 24]
- 99 Refused [Go to question 24]

23. Would you recommend it?

- 01 Yes
- 02 No [Go to question 24]
- 98 Don't know [Go to question 24]
- 99 Refused [Go to question 24]

The last item is MSHA's "Miners Rights Poster." This is an 11" by 17" wall poster with a blue and red background. The title and text are in white type, and it includes pictures of miners in lower right corner.

24. Have you seen this poster?

- 01 Yes
- 02 No [Go to question 27]
- 98 Don't know [Go to question 27]
- 99 Refused [Go to question 27]

25. Have you read it?

- 01 Yes
- 02 No [Go to question 27]
- 98 Don't know [Go to question 27]
- 99 Refused [Go to question 27]

26. Would you recommend it?

- 01 Yes
- 02 No [Go to question 27]
- 98 Don't know [Go to question 27]
- 99 Refused [Go to question 27]

Thank you. Now I would like to ask about your knowledge of your rights under the Mine Safety and Health Act. This is not a test. Your honest answers will help MSHA know how to tell miners about their rights.

27. After I read each statement, please say "Yes" if you were fully aware of the right before taking this survey. "Fully aware" means you already knew about the right and would not need to ask anyone. Please say "No" if you were not fully aware of the right.

{Read each statement to the respondent. Prompt, if needed, by asking if they were fully aware of the right ("Yes") or not fully aware of the right ("No") before hearing you read the statement. If respondent says "not sure" then code as "No"}

a. Make a complaint about a possible danger or safety violation to my mine management.

- 01 Yes
- 02 No
- 99 Refused

b. Tell MSHA or a state agency about a possible safety hazard.

- 01 Yes
- 02 No
- 99 Refused

c. Choose a representative to participate in all aspects of a mine inspection.

- 01 Yes
- 02 No
- 99 Refused

d. Get an X-ray for signs of Black Lung, paid for by my employer.

- 01 Yes
- 02 No
- 99 Refused

e. Ask to transfer to a less dusty job if I am diagnosed with Black Lung.

- 01 Yes
- 02 No
- 99 Refused

f. Refuse to operate equipment I am not trained to use, and tell my supervisor.

- 01 Yes
- 02 No
- 99 Refused

g. Refuse to work in conditions I believe to be unsafe.

- 01 Yes
- 02 No
- 99 Refused

h. Complain to MSHA if I have been retaliated against for exercising my rights under the Mine Act.

- 01 Yes
- 02 No
- 99 Refused

This time, please tell me how comfortable you would feel in exercising these rights at your current workplace. "Comfortable" means that you could exercise the right without fear of retaliation or negative consequences.

28. At my mine, I would feel comfortable:

{Read each statement to the miner. Ask if they "strongly agree," "agree," "are neutral," "disagree," or "strongly disagree" that they would feel comfortable exercising the right.}

a. Making a complaint about a possible danger or safety violation to my mine management.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. Telling MSHA or a state agency about a possible safety hazard.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

c. Choosing a representative to participate in all aspect of a mine inspection.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

d. Getting an X-ray for signs of Black Lung, paid for by my employer.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

e. Asking to transfer to a less dusty job if I am diagnosed with Black Lung.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

f. Refusing to operate equipment I am not trained to use, and telling my supervisor.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

g. Refusing to work in conditions I believe to be unsafe.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

h. Complaining to MSHA if I have been retaliated against for exercising my rights under the Mine Act.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

Now I would like to ask how you would respond to a safety hazard. In this survey, “safety hazard” means a condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

29. If I saw a safety hazard, I would:

{Read each statement to the respondent and ask if they strongly agree,” “agree,” “are neutral,” “disagree,” or “strongly disagree” that they would take that action if they saw a hazard.}

a. Fix the hazard myself.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. Tell someone outside the mine.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

c. Tell a coworker.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

d. Tell a union representative.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

e. Tell a miner's representative.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

f. Tell my supervisor.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

g. Tell my mine management.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

h. Tell the mine inspector next time they come to the mine.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

i. Call MSHA's hotline.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

j. Call MSHA's field or district office.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

k. Tell a state agency.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

l. Not say anything.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

m. Would you do something else that is not included on this list?

- 01 Yes *What would you do?* _____
- 02 No
- 99 Refused

Now I would like to ask about the last safety hazard you saw in your workplace. Just as a reminder, in this survey, "safety hazard" means a condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

30. The last time I saw a safety hazard, I told someone at my mine or a Federal or state agency.

- 01 Yes [Go to question 32]
- 02 No [Go to question 31]
- 03 I have never seen a safety hazard. [Go to question 38]
- 99 Refused

31. I did not tell anyone about the safety hazard because: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Are there any other reasons that caused you to decide not to report the hazard?*}

- 01 Someone else told before I had the chance.
- 02 The hazard was fixed before I could tell anyone.
- 03 The hazard was going to be fixed whether I told someone or not.
- 04 I didn't know who to tell.
- 05 I didn't know how to tell someone.
- 06 I was concerned about being treated differently by mine management.
- 07 I was concerned about being treated differently by my supervisor.
- 08 I was concerned about being treated differently by peers or coworkers.
- 09 I was concerned that it might close part of the production area and cost time off the job.
- 10 Some other reason. *What is that reason?* _____
- 99 Refused

[Go to question 38]

32. I told: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Did you tell anyone else about the hazard?*}

- 01 Someone outside the mine.
- 02 A coworker.
- 03 My supervisor.
- 04 Some other supervisor or person in a position of authority.
- 05 A union representative.
- 06 A miner's representative.
- 07 A mine inspector.
- 08 MSHA field or district office.
- 09 MSHA hotline.
- 10 State government agency.
- 11 Someone else. *Who else?* _____
- 99 Refused

33. After I reported the hazard: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Did anything else happen?*}

- 01 I'm not sure what happened.
- 02 The hazard was fixed.
- 03 The hazard was not fixed.
- 04 Someone was injured.
- 05 That section of the mine was temporarily closed.
- 06 The mine operator got a citation for a safety violation.
- 07 Something else. *What else happened?* _____
- 99 Refused

34. After I reported this hazard, I felt some negative reactions from my coworkers.

- 01 Yes [Go to question 35]
- 00 No [Go to question 36]
- 99 Refused [Go to question 36]

35. The negative reaction from my coworkers included: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Are there any other ways that your coworkers treated you differently after you reported the hazard?*}

- 01 "Silent treatment".
- 02 Left out of social get-togethers outside of work.
- 03 Lost friendships.
- 04 Criticism or teasing.
- 05 Mild threats.
- 06 Some other reaction. *What was the reaction?* _____
- 99 Refused

36. After I reported this hazard, I felt some negative reaction from management:

- 01 Yes [Go to question 37]
- 00 No [Go to question 38]
- 99 Refused [Go to question 38]

37. The negative reaction from management included: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Did management take any other actions against you?*}

- 01 Lost my job.
- 02 Lost work hours.
- 03 Lost “perks” (such as time off for personal matters, use of company vehicle, etc.).
- 04 Transfer to a worse job.
- 05 Reassignment to another shift, or rotated between shifts.
- 06 Lost pay, or had pay cut due to work reassignment.
- 07 Lower raise or lower bonus than expected.
- 08 More frequent on-the-job discipline or criticism.
- 09 Unexpected drug/alcohol test.
- 10 Some other reaction. *What was the reaction?* _____
- 99 Refused

38. Now, please tell me if you “strongly agree,” “agree,” “are neutral,” “disagree,” or “strongly disagree.” I trust MSHA to: {Read each statement to the respondent and ask if they strongly agree,” “agree,” “are neutral,” “disagree,” or “strongly disagree” that they would take that action if they see a hazard.}

a. Stand up for my rights as a miner.

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

b. Keep what I tell them confidential (not tell my employer).

- 01 Strongly agree
- 02 Agree
- 03 Neutral
- 04 Disagree
- 05 Strongly disagree
- 99 Refused

39. In the past two years, I had at least one mining-related injury or illness that needed medical attention beyond first aid.

- 01 Yes [Go to question 40]
- 00 No [Go to question 42]
- 98 Don't know [Go to question 42]
- 99 Refused [Go to question 42]

40. I told my mine management about the last injury or illness that I had that needed medical attention.

- 01 Yes [Go to question 42]
- 00 No [Go to question 41]
- 99 Refused [Go to question 42]

41. I did not report the injury or illness because I did not want to: {Do not read the following list to respondents, use as a guide to code responses. Allow respondent to provide as many reasons as needed. After each reason, ask respondent: *Are there any other reasons that caused you to decide not to report the injury or illness?*}

- 01 Lose a bonus or prize for myself.
- 02 Lose a bonus or prize for coworkers.
- 03 Face discipline or criticism.
- 04 Face a drug/alcohol test.
- 05 Break the mine's record for low numbers of reportable or lost-time accidents.
- 06 Be seen as an accident-prone or careless worker.
- 07 Go through a workers' compensation investigation.
- 08 Other reason. *What was the reason?* _____
- 99 Refused

42. On a scale from "1" which means "not free at all" to "5" which means "extremely free" to exercise your rights, how free do you feel to exercise your rights in your mine without fear of retaliation?

- 01 Not free at all.
- 02
- 03
- 04
- 05 Extremely free.
- 99 Refused

To finish this survey, please tell us a little more about you and your mine. We do not ask for your name. We will protect your privacy to the greatest extent allowable by law.

43. What is the name of the mine you currently work in?

- _____ Mine Name [Go to question 56]
01 I don't know. [Go to question 44]
02 I do not want to name my mine. [Go to question 44]
99 Refused

44. I work in: {Read options to respondent, check only one.}

- 01 Underground - Coal
02 Surface - Coal
99 Refused

45. I work for a contractor.

- 01 Yes
00 No
99 Refused

46. My job title is: {Do not read the following list to respondents, use as a guide to code responses. Confirm response with respondent if unsure of which option to choose.}

- 01 Beltman/Boom Operator
02 Car Dump/Grizzly/Screen
03 Cleanup/Ventilation
04 Electrician
05 Haul, Dump
06 Hoist/Cage/Skip
07 Laborer
08 Loading Machine Operator
09 Mechanic/Maintenance
10 Mining Machine Operator
11 Powderman/Blaster
12 Rail Transportation And Hauling
13 Rock/Roof Bolter
14 Supervisor/Foreman
15 Technical/Professional/Clerical
16 Timberman/Jacksetter
17 Truck Driver
18 Welder/Machinist
19 Other *Please describe:* _____
99 Refused

47. Every year, my mine produces:

- 01 Less than 50,000 tons of coal
- 02 50,000 – 100,000 tons of coal
- 03 100,000 – 250,000 tons of coal
- 04 250,000 – 500,000 tons of coal
- 05 500,000 – 750,000 tons of coal
- 06 750,000 – 1,000,000 tons of coal
- 07 1,000,000 or more tons of coal
- 98 Don't know
- 99 Refused

48. The total number of workers at my mine is:

- 01 1 to 9
- 02 10 to 19
- 03 20 to 34
- 04 35 to 99
- 05 100 to 249
- 06 250 or more
- 98 Don't know
- 99 Refused

49. The total number of workers at all mine sites managed by my mine company is:

- 01 1 to 19
- 02 20 to 99
- 03 100 to 249
- 04 250 to 500
- 05 500 to 1,000
- 06 1,000 to 3,000
- 07 3,000 or more
- 98 Don't know
- 99 Refused

For the next three questions, please tell us how many years...

50. I have worked for my current employer:

- ___years
- 99 Refused

51. I have worked at my current location?

- ___years
- 99 Refused

52. I have worked with my current supervisor or foreman?

___years

99 Refused

53. The highest level of education that I have completed is: {Read options to respondent}

01 Some High School

02 High School degree or GED

03 Associates degree

04 Trade, technical, or vocational education

05 College degree

06 Postgraduate degree

99 Refused

54. Are you, yourself, of Hispanic or Latino origin or descent, such as Mexican, Puerto Rican, Cuban, or other Spanish background?

01 Yes, I am of Hispanic or Latino origin or descent.

02 No, I am not of Hispanic or Latino origin or descent.

99 Refused

55. What is your race? (Please select one or more.)

01 American Indian or Alaska Native

02 Asian

03 Black or African American

04 Native Hawaiian or Other Pacific Islander

05 White

99 Refused

56. Is there anything else you would like to tell us about your freedom to exercise your rights in your workplace? {Record response verbatim. Remind respondent not to provide name or identifying information.}

Thank you! The results of this survey will help MSHA give coal miner's better information about their rights. To report a safety or other problem, call MSHA's hotline at 1-800-746-1553. If you have any questions about this survey, please call ERG at 1-877-xxx-xxxx.

FAQ

Who is Eastern Research Group?

ERG is a private consulting firm (website: www.erg.com) hired by the Department of Labor to conduct this survey. ERG will keep all information provided in this survey anonymous. No names will be collected and no other identifying information will ever be provided to anyone – including the Department of Labor and MSHA.

Do you have approval to conduct this survey?

Yes. This survey has been approved by the Office of Management and Budget, the approval (OMB control number) is XXXX-XXXX. Without this approval we would not be able to conduct this survey.

Who is conducting this study?

The study is being conducted by the U.S. Department of Labor. The Department of Labor hired Eastern Research Group of Lexington, MA to conduct this survey to provide information for the study.

Will MSHA or my employer know I participated in the survey?

No, no one outside of ERG will see the information collected under this survey. No names will be collected and no other identifying information will ever be provided to anyone – including the Department of Labor and MSHA. Your confidentiality will be protected to the extent allowable by law. Also, you have the right to participate in this survey without discouragement or retaliation from your employer, if your employer or their representative is pressuring you not to participate in survey efforts, please call MSHA's hotline at 1-800-746-1553.

I'm unhappy with my employer/I would like to report a problem at my workplace?

Please call MSHA's hotline at 1-800-746-1553 to discuss this issue – they will be able to provide you with assistance.

What happens if I don't participate in the survey?

Your participation is completely voluntary and you have the right to decide not to participate. If you choose to participate, your answers will help the Department of Labor improve the information provided to miners. There are no right or wrong answers: we are interested in your experiences and opinions.

I'm not interested in participating.

Let me reassure you that we are not selling anything. The questions are designed to help the Department of Labor improve the information they provide to miners about their rights. There are no right or wrong answers: we are interested in your experiences and opinions. If you participate, your answers will be combined with those of others and your name will never be included in any report.

How long will this take?

It varies, but it usually takes around 25 minutes.

National Survey of Miners' Voice in the Workplace

Implementation Mode: Web

The following survey is the web version. This version will be implemented by recruiting miners to visit a website to take the survey. Recruitment will be done through advertisements placed in local newspapers and radio stations in a test market. This approach was recommended by the Technical Working Group for this project.

The skip patterns for this version will be programmed into web survey software (Vovici). We have included markers in this review version to indicate what will appear on screen using “[Screen #]” to identify screens. Respondents will see a “progress bar” at the bottom of each page to indicate how far they have gone in the survey.

For questions 9-26 which ask whether miners are aware of, read, and would recommend specific MSHA outreach materials, some additional HTML coding may be implemented. Each outreach material has three questions: (a) have you seen the material, (b) have you read/used it, and (c) would you recommend it. These include skip patterns: yes for (a) triggers (b), and yes for (b) triggers (c). To avoid the need to use three separate screens for each outreach material, which could be tedious for respondents, some simple HTML coding may be used to “hide” the (b) and (c) questions on a page unless they are triggered by the skip patterns. Thus, when a respondent reaches one of these questions, he/she would see the image and question (a). If the respondent answers “yes” for (a), question (b) would appear, and answering “yes” for (b) would cause (c) to appear.



National Survey of Miners' Voice in the Workplace

OMB Control No. xxxx-xxxx. Expires xx/xx/2014



[Begin Survey!](#)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is voluntary. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor-OASP, Chief Evaluation Office, Room S-2312, 200 Constitution Avenue, N.W., Room N-1301, Washington, DC 20210. Note: Please do not return the completed survey to this address.

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 2]

Thank you for answering some questions about mine safety and health!

- **Your honest answers are very important.**
They will help MSHA promote safe work practices in mines.
- **Individual responses to these surveys will not be shared with any employer, union, government agency.** We will protect your privacy to the extent allowed by law. Please do not provide your name or any other identifying information.
- **If you have any questions about this survey:**
Call Eastern Research Group, Inc. (ERG) at **1-877-xxx-xxxx**. To report a safety or other problem: Call MSHA's Hotline at **1-800-746-1553**.

Please answer these questions to see if you can take this survey.

a) **I work in coal mining or I have worked in coal mining in the last 2 years.**

- Yes** [Next button will go to Screen 4]
 No [Next button will go to Screen 3]

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 3]

You are all done! If you are not a current or recent coal mining worker you do not need to complete the rest of the survey.

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 4]

b) I am a: (please select only one)

- Miner
- Front Line Supervisor or Foreman
- Mine Manager

[Next button will go to Screen 6]

[Next button will go to Screen 5]

[Next button will go to Screen 5]

[Next](#)

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 5]

You are all done! If you are a mine manager you do not need to complete the rest of the survey.

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 6]

1. I work in a union mine.

- Yes
- No
- Don't know

2. I belong to a union.

- Yes
- No

[Next button will go to Screen 8]

[Next button will go to Screen 7]

Progress Bar (16%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 7]

1. I belonged to a union within the last 2 years.

- Yes
- No

Progress Bar (19%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 8]

2. Please tell us how much you agree with these statements:

In this survey "Safety hazard" means a condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

"My mine" means the mine site where you work (or where you last worked).

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
I trust my mine management to provide a safe and healthful workplace.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My mine is a safe mine.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If I point out a safety hazard , my mine management fixes the problem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can point out a safety hazard without worrying about the consequences.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If I could, I would leave my job to work at a different mine.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Progress Bar (22%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 9]

5. I can tell my mine management about a safety concern by using our: (check all that apply)

- Suggestion system
- Regular meetings with supervisors
- Hotline
- Other: **(please explain):**
- None of the above

6. My mine management gives me information about my mine safety rights by: (check all that apply)

- Posting information on a bulletin board
- Providing or paying for safety training
- Holding regular meetings to discuss safety issues
- Other: **(please explain):**
- None of the above

Progress Bar (24%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 10]

7. Please tell us how much you agree with these statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
I know where to get information about my mine safety rights.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I know enough about the Mine Act to recognize a violation when it happens.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Progress Bar (27%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 11]

8. If I wanted to learn more about my mine safety rights, I would:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Ask a coworker.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask my supervisor.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask someone in mine management.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask the safety committee.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask someone at the mine office.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask a miners' representative.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ask a union representative.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Talk to a state or federal mine inspector.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Read a brochure or poster at my mine.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Visit the MSHA website. (www.msha.gov)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Progress Bar (30%)

Next

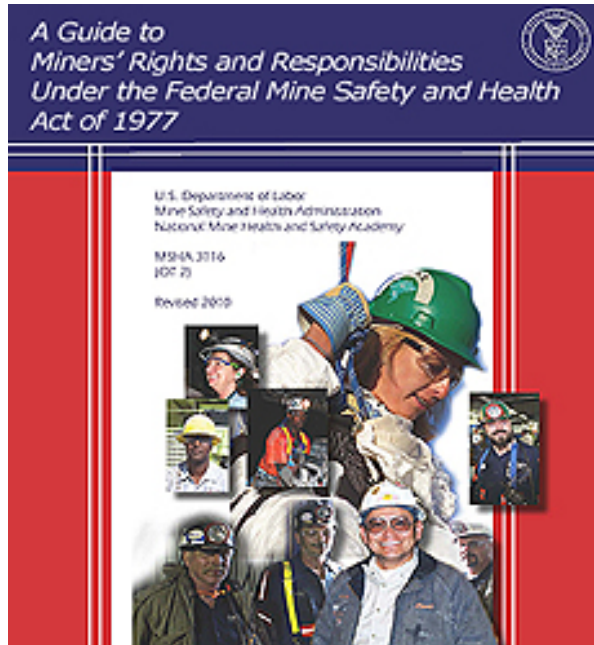
National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 12]

Please tell us what you think about these MSHA materials.

A Guide to Miners' Rights and Responsibilities under the Federal Mine Safety and Health Act of 1977
(Brochure)



9. Have you seen it?

- Yes [Clicking Yes makes Q10 appear]
- No [Next button goes to Screen 13]

10. Have you read it?

- Yes [Clicking Yes makes Q11 appear]
- No [Next button goes to Screen 13]

11. Would you recommend it?

- Yes [Next button goes to Screen 13]
- No [Next button goes to Screen 13]

Progress Bar (32%)

Next

National Survey of Miners' Voice in the Workplace

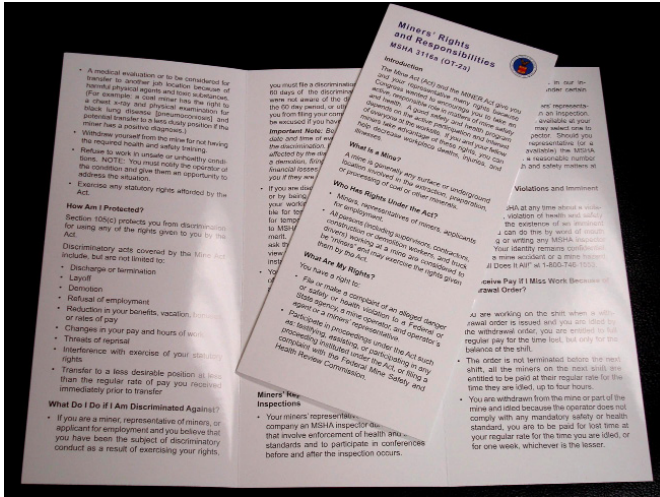
Your answers are anonymous.

[Screen 13]

Miners' Rights (Trifold Pamphlet)

12. Have you seen it?

- Yes [Clicking Yes makes Q13 appear]
- No [Next button goes to Screen 14]



13. Have you read it?

- Yes [Clicking Yes makes Q14 appear]
- No [Next button goes to Screen 14]

14. Would you recommend it?

- Yes [Next button goes to Screen 14]
- No [Next button goes to Screen 14]

Progress Bar (35%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 14]

**Miners' Rights
(Small Card)**



15. Have you seen this card?

- Yes [Clicking Yes makes Q16 appear]
- No [Next button goes to Screen 15]

16. Have you read it?

- Yes [Clicking yes makes Q17 appear]
- No [Next button goes to Screen 15]

17. Would you recommend it?

- Yes [Next button goes to Screen 15]
- No [Next button goes to Screen 15]

Progress Bar (38%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 15]

**“One Call Does it All”
(Telephone Hotline)**



**ONE CALL
DOES IT ALL!**

Immediately Report Accidents to MSHA
at

1-800-746-1553

24 Hours a Day, 7 Days a Week, 365 Days a Year

IT'S THE LAW!

Beginning December 8, 2006, mine operators are required by the Emergency Mine Evacuation Final Rule to call the MSHA Call Center at 1-800-746-1553 to notify MSHA of immediately reportable accidents. Mine operators are required to notify MSHA immediately, but in no case later than 15 minutes after they know or should know an accident has occurred. For more information, visit www.msha.gov.

United States Department of Labor
MSHA
Mine Safety and Health Administration

18. Have you heard of this hotline?

- Yes [Clicking Yes makes Q19 appear]
- No [Next button goes to Screen 16]

19. Have you called it?

- Yes [Clicking Yes makes Q20 appear]
- No [Next button goes to Screen 16]

20. Would you recommend it?

- Yes [Next button goes to Screen 16]
- No [Next button goes to Screen 16]

Progress Bar (41%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 16]

**MSHA.gov
(Website)**

21. Have you seen this website?

- Yes [Clicking Yes makes Q22 appear]
- No [Next button goes to Screen 17]



22. Have you visited it?

- Yes [Clicking Yes makes Q23 appear]
- No [Next button goes to Screen 17]

23. Would you recommend it?

- Yes [Next button goes to Screen 17]
- No [Next button goes to Screen 17]

Progress Bar (43%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 17]

Miners Rights (Poster)



24. Have you seen this poster?

- Yes [Clicking Yes makes Q25 appear]
- No [Next button goes to Screen 18]

25. Have you read it?

- Yes [Clicking Yes makes Q26 appear]
- No [Next button goes to Screen 18]

26. Would you recommend it?

- Yes [Next button goes to Screen 18]
- No [Next button goes to Screen 18]

Progress Bar (46%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 18]

The following questions ask about your knowledge of your rights under the Mine Safety and Health Act. This is not a test. Your answers will help MSHA know how to tell miners about of their rights.

“Fully aware” means you already knew about the right, you would not need to ask.

27. Before taking this survey, I was **fully aware** that I have the legal right to:

	Yes, I was aware.	No, I was not aware.
Make a complaint about a possible danger or safety violation to my mine management.	<input type="radio"/>	<input type="radio"/>
Tell MSHA or a state agency about a possible safety hazard.	<input type="radio"/>	<input type="radio"/>
Choose a representative to participate in all aspects of a mine inspection.	<input type="radio"/>	<input type="radio"/>
Get an X-ray for signs of Black Lung, paid for by my employer.	<input type="radio"/>	<input type="radio"/>
Ask to transfer to a less dusty job if I am diagnosed with Black Lung.	<input type="radio"/>	<input type="radio"/>
Refuse to operate equipment I am not trained to use, and tell my supervisor.	<input type="radio"/>	<input type="radio"/>
Refuse to work in conditions I believe to be unsafe.	<input type="radio"/>	<input type="radio"/>
Complain to MSHA if I have been retaliated against for exercising my rights under the Mine Act.	<input type="radio"/>	<input type="radio"/>

Progress Bar (49%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 19]

“Comfortable” means that you could exercise the right without fearing retaliation or negative consequences.

28. At my mine, I would feel **comfortable**:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Making a complaint about a possible danger or safety violation – to my mine management.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Telling MSHA or a state agency about a possible safety hazard.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choosing a representative to participate in all aspects of a mine inspection.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Getting an X-ray for signs of Black Lung, paid for by my employer.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Asking for a transfer to a less dusty job if I am diagnosed with Black Lung.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Refusing to operate equipment I am not trained to use, and telling my supervisor.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Refusing to work in conditions I believe to be unsafe or unhealthy.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complaining to MSHA if I have been retaliated against for exercising my rights under the Mine Act.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Progress Bar (51%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 20]

“Safety hazard” means: A condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

29. If I saw a **safety hazard**, I would:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Fix the hazard myself.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell someone outside the mine.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell a coworker.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell a union representative.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell a miner’s representative.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell my supervisor.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell my mine management.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell the mine inspector next time they come to the mine.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Call MSHA’s hotline.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Call MSHA’s field or district office.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tell a state agency.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not say anything.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do something else? (please describe)

Progress Bar (54%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 21]

“Safety hazard” means: A condition or practice that, if not fixed, could cause a serious accident, injury, illness, or death.

30. The *last* time I saw a **safety hazard, I told someone at my mine or a Federal or state agency:**

- Yes [Next button will go to Screen 23]
- No [Next button will go to Screen 22]
- I have never seen a safety hazard. [Next button will go to Screen 27]

Progress Bar (57%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 22]

31. I did not tell anyone about the **safety hazard because: (check all that apply)**

- Someone else told before I had the chance.
- The hazard was fixed before I could tell anyone.
- The hazard was going to be fixed whether I told someone or not.
- I didn’t know who to tell.
- I didn’t know how to tell someone.
- I was concerned about being treated differently by my:
 - Mine management
 - Supervisor
 - Coworkers
- I was concerned that it might close the production area and cost time off the job.
- Other: **(please describe)**:

[Clicking “Next” goes to question 27]

Progress Bar (59%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 23]

32. I told: (check all that apply)

- Someone outside the mine
- A coworker
- My supervisor
- Some other supervisor or person in a position of authority.
- A union representative
- A miner's representative
- A mine inspector
- MSHA field or district office
- MSHA hotline
- State government agency
- Other: **(please describe)**:

33. After I reported the hazard: (check all that apply)

- I'm not sure what happened.
- The hazard was fixed.
- The hazard was not fixed.
- Someone was injured.
- That section of the mine was closed for a while.
- The mine operator got a citation for a safety violation.
- Other: **(please describe)**:

34. After I reported the hazard, I felt some negative reaction from my coworkers:

- Yes [Next button will go to Screen 24]
- No [Next button will go to Screen 25]

Progress Bar (62%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 24]

35. The negative reaction from my coworkers included: (check all that apply)

- "Silent treatment".
- Left out of social get-togethers outside of work.
- Lost friendships.
- Criticism or teasing.
- Mild threats.
- Other (please describe):

Progress Bar (65%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 25]

36. After I reported this hazard, I felt some negative reaction from management.

- Yes [Next button will go to Screen 26]
- No [Next button will go to Screen 27]

Progress Bar (68%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 26]

37. The negative reaction from management included: (check all that apply)

- Lost my job.
- Lost work hours.
- Lost “perks” (such as time off for personal matters, use of company vehicle, etc.).
- Transfer to a worse job.
- Reassignment to another shift, or rotated between shifts.
- Lost pay, or had pay cut due to work reassignment.
- Lower raise or lower bonus than expected.
- More frequent on-the-job discipline or criticism.
- Unexpected drug/alcohol test.
- Other: **(please describe):**

Progress Bar (70%)

Next

National Survey of Miners’ Voice in the Workplace

Your answers are anonymous.

[Screen 27]

38. I trust MSHA to:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Stand up for my rights as a miner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Keep what I tell them confidential (not tell my employer).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

39. In the past two years, I had at least one mining-related injury or illness that needed medical attention beyond first aid:

- Yes [Next button will go to Screen 28]
- No [Next button will go to Screen 30]

Progress Bar (73%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 28]

40. I told my mine management about the *last* injury or illness I had that needed medical attention.

- Yes [Next button will go to Screen 30]
- No [Next button will go to Screen 29]

Progress Bar (76%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 29]

41. I did not report the injury or illness because I did not want to: **(check all that apply)**

- Lose a bonus or prize for myself.
- Lose a bonus or prize for coworkers.
- Face discipline or criticism.
- Face a drug/alcohol test.
- Break the mine's record for low numbers of reportable or lost-time accidents.
- Be seen as an accident-prone or careless worker.
- Go through a workers' compensation investigation.
- Other: **(please describe)**

Progress Bar (78%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 30]

42. How **free** do you feel to exercise your rights in your mine without fear of retaliation?

Not Free At All				Extremely Free
1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Progress Bar (81%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 31]

To finish this survey, please tell us a little more about you and your mine.

We do not ask for your name. We will protect your privacy to the greatest extent allowed by law.

43. What is the name of the mine you currently work in?

Mine Name

[Next button goes to Screen 36]

I don't know

[Next button goes to Screen 32]

I do not want to name my mine.

[Next button goes to Screen 32]

Progress Bar (84%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 32]

44. I work in:

- Underground - Coal
- Surface - Coal

45. I work for a contractor.

- Yes
- No

46. My job title/role is:

- | | |
|--|---|
| <input type="radio"/> Beltman/Boom Operator | <input type="radio"/> Mining Machine Operator |
| <input type="radio"/> Car Dump/Grizzly/Screen | <input type="radio"/> Powderman/Blaster |
| <input type="radio"/> Cleanup/Ventilation | <input type="radio"/> Rail Transportation And Hauling |
| <input type="radio"/> Electrician | <input type="radio"/> Rock/Roof Bolter |
| <input type="radio"/> Haul, Dump | <input type="radio"/> Supervisor/Foreman |
| <input type="radio"/> Hoist/Cage/Skip | <input type="radio"/> Technical/Professional/Clerical |
| <input type="radio"/> Laborer | <input type="radio"/> Timberman/Jacksetter |
| <input type="radio"/> Loading Machine Operator | <input type="radio"/> Truck Driver |
| <input type="radio"/> Mechanic/Maintenance | <input type="radio"/> Welder/Machinist |

__ Other: **(please describe)**

Progress Bar (86%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 33]

47. Every year, my mine produces: (please estimate)

- Less than 50,000 tons of coal
- 50,000 – 100,000 tons of coal
- 100,000 – 500,000 tons of coal
- 500,000 – 750,000 tons of coal
- 750,000 – 1,000,000 tons of coal
- 1,000,000 or more tons of coal
- Don't Know.

48. The total number of workers at my mine is: (please estimate)

- 1 to 9
- 10 to 19
- 20 to 34
- 35 to 99
- 100 to 249
- 250 or more
- Don't Know.

49. The total number of workers at *all* mine sites managed by my mine company is: (please estimate)

- 1 to 19
- 20 to 99
- 100 to 249
- 250 to 500
- 500 to 1,000
- 1,000 to 3,000
- 3,000 or more
- Don't know

Progress Bar (89%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 34]

50. I have worked for my current employer for:

years

51. I have worked at my current location for:

years

52. I have worked with my current supervisor or foreman for:

years

53. The highest level of education that I have completed is:

- Some High School
- High School degree or GED
- Associates degree
- Trade, technical, or vocational education
- College degree
- Postgraduate degree

Progress Bar (92%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 35]

54. Are you, yourself, of Hispanic or Latino origin or descent, such as Mexican, Puerto Rican, Cuban, or other Spanish background?

- Yes, I am of Hispanic or Latino origin or descent.
- No, I am not of Hispanic or Latino origin or descent.

55. What is your race? (please select one or more)

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

Progress Bar (95%)

Next

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

[Screen 36]

56. Is there anything else you would like to tell us about your freedom to exercise your rights in your workplace? (please describe below and do not include your name or any identifying information.)

Progress Bar (97%)

Next

[Screen 37]

Thank you!

The results of this survey will help MSHA give coal miners better information about their rights.

To report a safety or other problem: Call MSHA's Hotline at **1-800-746-1553**.

If you have any questions about this survey, please call ERG at 1-877-xxx-xxxx.

Who is ERG? ERG is a private consulting firm (website: www.erg.com) hired by the Department of Labor to conduct this survey. ERG will keep all information from this survey anonymous. The Department of Labor will never see the names of people who complete this survey.

This survey is estimated to take 25 minutes to complete.

Progress Bar (100%)

Visit MSHA.gov

National Survey of Miners' Voice in the Workplace

Your answers are anonymous.

Appendix D:

Federal Register Notice

DEPARTMENT OF LABOR

Proposed Information Collection Request (ICR) for the Mining Voice in the Workplace
Survey; comment request

AGENCY: Office of the Assistant Secretary for Policy, Department of Labor.

ACTION: Notice

SUMMARY: The Department of Labor (DOL or the Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) [44 U.S.C. 3506 (c) (2) (A)]. This program helps to ensure that required data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by the Office of Management and Budget (OMB) under the PRA and the related materials display a currently valid OMB control number. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the related materials do not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6.

A copy of the proposed ICR can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be received by the office listed in the addressee section below on or before (INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE

FEDERAL REGISTER).

ADDRESSEE: Send comments to Celeste Richie, U.S. Department of Labor, Chief Evaluation Office, Office of the Assistant Secretary for Policy, 200 Constitution Avenue, NW., Frances Perkins Bldg., Room S-2312, Washington, DC 20210, telephone number (202) 693-5959 (this is not a toll-free number). Email address is richie.celeste.j@dol.gov and fax number is (202) 693-5960.

SUPPLEMENTARY INFORMATION

1. Background

The U.S. Department of Labor (DOL) is performing a pilot study to determine how to measure workers' voice in mining workplaces under the jurisdiction of DOL's Mine Safety and Health Administration (MSHA). DOL's working definition for voice in the workplace is the "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." Voice in the workplace is a key outcome goal for the Secretary of Labor and part of her vision of good jobs for everyone. A separate concurrent effort will measure workers' voice in workplaces under the jurisdiction of DOL's Wage and Hour Division (WHD) and Occupational Safety and Health Administration (OSHA). Measuring voice among miners, however, poses unique data collection challenges, including implementing a survey in a setting that feels non-threatening to mine workers, and asking questions in a format that reflects mining community cultures and practices. Thus, DOL is performing a pilot study to investigate the efficacy of different data collection methods and to develop a survey instrument that is appropriate for the mining community. The primary research question is "What measures of voice and perceived non-compliance, combined with

what modes of data collection, could be best used to track MSHA's worker protection outreach activity?" This submission covers a set of 2-3 small-scale pilot data collections. Data collection for this effort will employ 2-3 strategies: (1) submission of paper questionnaires to be filled out by individual mine workers during offsite mining-related training sessions, (2) recruitment of miners through use of radio and paper advertisements, and (3) a mail or phone survey. DOL is currently assessing the feasibility of each method prior to implementation. For example, implementation of a phone or mail survey will depend on the availability of a valid list of miners. A maximum of 125 respondents will be surveyed under each collection mode for a total of 375 maximum respondents for the overall effort.

2. Desired Focus of Comments

Currently, the Department of Labor is soliciting comments concerning the above data collection. Comments are requested which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

3. Current Actions

Pursuant to the PRA implementing regulations at 5 C.F.R. § 1320.8(d)(1), this notice requests comments on the proposed information collection request discussed above in the Background section of this notice. Interested parties are encouraged to provide comments to the individual list in the ADDRESSEE section above.

Agency: Office of the Assistant Secretary for Policy.

Type of Review: New Collection

Title of Collection: Miners' Voice in the Workplace Survey.

OMB Control Number: [Insert OMB Control Number].

Affected Public: Individuals or households.

Estimated Number of Respondents: 375 (maximum 125 respondents each collection mode)

Estimated Time per Response: 12-15 minutes.

Estimated Total Annual Burden Hours: 94 (based on 375 respondents at 15 minutes each)

Estimated Total Annual Other Cost to Public: \$0

Comments submitted in response to this request will be summarized and/or included in the request for OMB approval; they will also become a matter of public record.

SIGNED: Megan Uzzell at Washington, D.C. this 11 day of January 2012

Megan Uzzell

Deputy Assistant Secretary, Office of the Assistant Secretary for Policy

Billing Code: 4510-22-P

Appendix E:

Public Comments on the Federal Register Notice

Public Comments on MSHA Voice in the Workplace Survey

1. B.T. Webster (Comment on Proposed ICR, 3/1/12)
2. Fernando Duran (Concerns about permissibility for underground coal mines, 3/1/12)
3. Mr. M. Cook (ICR, 3/1/12)
4. Tim Choate (Info, 3/1/12)
5. Ron Browning (Proposed Survey, 3/1/12)
6. Terry Tew (Questionnaire, 3/1/12)
7. Archie Coburn (Survey, 3/1/12)
8. Dennis O'Dell, UMWA (UMWA comments, 3/13/12)
9. Mark O. Eslinger (Comments Information Collection, 3/19/12)
10. Eric Frumin (Comments on MSHA Miners Voice Survey, 3/20/12)

I am voicing my opposition to the proposed information collection request.

- Miner's Rights is a required training subject for New Miner Training as well as Annual Refresher Training therefore all miners are trained in this subject area,
- Training records are audited by MSHA inspectors annually, therefore mines not conducting this required training are cited,
- A Miner's Representative accompanies the MSHA Inspector during each inspection, giving the representative ample opportunity to speak to the MSHA inspector,
- A copy of the Miner's Rights is posted in the miner's breakroom and is readily accessible to them at any time they so wish,
- The MSHA inspector is given full access to all miners during inspections, giving all the miners ample opportunity to speak to the MSHA inspector.

Miner Rights are well understood by miners and additional surveys are not needed. There should be a greater emphasis on hiring training personnel at the various MSHA offices to provide training and other assistance to mine operators and miners to make the workplace safer in a cooperative, non-citation effort rather than focusing on hiring more inspectors to conduct "gotcha" inspections where inspectors tell mine operators that they cannot leave a mine site without issuing a citation.

B.T. Webster
760-427-6780

To who may concern; I'm a underground coal miner concerning about permissibility in equipment for underground coal mines, I'm a active coal miner and I work in a coal mine in Illinois, My comments are; I notice that permissibility on equipment is been left behind, is not been done according with 30 CFR part 18, and part 75-500 through 75-900. I think we need to have MSHA inspectors to focus in this a lot more because they only look the very sample things and some coal companys are doing the same. This is my comment and I hope it helps to get better our way to do permissibility, please do not show my email, thanks.

Miss Richie:

In 2002 while working for Arch Coal in WV my neck and back muscles was so torn up pulled out of place, damaged I could not get any sleep at night. I was falling asleep driving to and from work. I was Working 12 hour shifts 5 days a week and 8 hours on Saturday. putting 350 + miles a week just on my service truck on the job site, on maybe 5 mile wide surface mine. This not counting my daily drive to and from work. You had to be on time like 15 minutes early waiting and could not leave 1 second early.. I Went to Dr. and I had a 3 day sign excuse and plus Dr. added more day's on my Dr. Excuse while I was trying to get medical help over my medical problem and I was still was fired/ dismissed from my Non-Union WV Arch Coal mining job. for missing work and they said I had a bad attitude on the note. I think just as a personal last insult to me..

No joke. I never could take my 30 minute lunch break I had to eat on the run..If I was ever caught eating not doing nothing or I ask to be paid extra 30 minutes for missing my lunch break I would get a big huge cuss and rock throwing fit as normal from my boss.

It was very well known If you wanted to keep your job you never said nothing to State or MSHA Inspectors bad about equipment or any boss or the coal company.. My boss never was on our spread anyway he was down mine office all day long laughing and joking around good weather or bad weather. This was a major safety hazard on its own, When he did show up he cause trouble..

If he was caught by Main Foreman over all surface mine operations doing this he somehow try to blame me with it and make my 12 hour work shift as tough as he could on me and I didn't do nothing wrong he was one doing it to his self not me. He one time gave me 30 minutes to get to a piece of equipment get it serviced and get back or he said he fire me. Equipment was good 25 minute drive 1 way. Guy running equipment saw I been crying and the whole crew of men told that spread foreman.. They would show him just how slow this equipment would run daily if he didn't start treating me any better than he was doing.. Work Crew had to do this countless time's clear up to my last day on the job to that foreman to get him from treating me like trash daily..I lot of times would not say nothing they personally see how he was treating me and they all get together and have long talk with that same foreman over and over got to be allmost a daily deal.

I had my mine foreman papers too..The men like me much better than our Spread Foreman, Plus I got along good with Over all surface operations main Forman when he was on our job site he allways saw me doing my job if I seen him or not I was working hard doing my job.. He like that , And I think our Spread Foreman thought I just could maybe take his job from him so he made it tough as possible on myself and tell all kinds of lies on me..

I had to take few hours off for election time in KY. I could not take few hours off for election day in WV.. Job site was in WV but 98% of the men was from state of KY. True story..

Main surface foreman over all operations beg me just come back to work (and stop this non-sense) when I fired from my job over I was injured and searching for medical help but it was too late. I was hurt too bad by then.. Oh I like never found a lawyer take any case only 1 I could get would not put up any kind of a defense in my case. She more interested in getting me on SSD than my job back or put me on worker's comp. them 2 issues she did nothing on . My lawyer keep saying all you have to do is go back to work.. Shoot I could work out that same deal myself without help of any lawyer.. Most all lawyers in this area are bought off by large Coal Companies anyhow.. If not go clear up to the state level.

I had to go on welfare there for a while and church food baskets to make it.. I am now starting to feeling better that I think I can handle a MSHA Inspector job.. I be going for my test in few week's ..Hope I pass and make a inspector. I don't want to go back to work for any Coal Company they treat you too dirty and don't care 1 bit about there employees..

That just drop in bucket of what I been through in Coal Mines.. It would shock you some of the stuff that went on.. You see where them MSHA Inspectors that got caught not inspecting mines like they said they did and lost there jobs due to aftermath of major lost of life's in mine disaster's. That been going on for a long time too.. I had a mine foreman would not pre-shift the mines daily like he wrote down in the Foreman Book this went on as long as I work there.. He was most time last person arrived at the mines.. We had no pre-shift of safety of our mines we had to do it on our own every morning.. 1 reason I got my mine foreman card..

I was good friends with Foreman got killed at Sago Mine.. He married my cousin.

I started working in Coal Mines in 1980.

Respectfully

Mr. M. Cook .

Richie, I find the survey you plan to conduct a great way to find how much of the info MSHA puts out gets to the front line workers in the mining industry. The one request I have is to cover all miners in coal and m/nm. Even though some of the topics of black lung do not apply to the m/nm side of the industry that are mentioned in this draft I find this to be also very informative to all miners that are exposed to dust issues. I have found as a miners' rep over the past few years that the miners tend to be very uninformed of the protection the Department of Labor provides them with while working in the mining industry. The companies tend to paint MSHA as the bad guy in the equation and most miners have no clue to what rights they have at their disposal. I have spent countless hours self educating myself of the rights we have as miners and find the 40 hour or 8 hour refresher course conducted by the mine owners to be a joke at best.

In closing I hope to see this type of action taking place on the m/nm side in the near future.

Thanks, Tim Choate

timchoate75@gmail.com

Celeste,

I just reviewed the recently proposed survey, and I like it.

Do you know, or can you tell me if we plan on doing the same type of survey for the metal / non metal mines.

As an instructor I get the privilege of addressing many operations and contractors through site audits and refresher training. I come across many individuals who may have been instructed in their rights and responsibilities during the initial new miner courses, but rarely do I find those who can recall them.

I actually incorporate them into my annual refresher training modules just as a reminder. I do this primarily due to I feel it is imperative the miners realize they have such rights, along with responsibilities to the operator.

Can I suggest to make it apply to all mines.

If you have any comments, you may contact me at this email, or my contact numbers below.

Thank You,

Ron Browning
Browning & Associates
Safety Consultation and Supplies
P.O. Box 1136
Tonopah, NV 89049

Office: 775-482-5100

Mobile: 775-346-1083

I object to your questionnaire and would not allow it on my property

It is full of union language and we are a non union mine

I do not need nor will allow this administration to advocate the advancement of unions or union language on my property or shut down production for this type of questionnaire.

If you want to prepare a questionnaire that does not have union language then it would be allowed

MSHA cannot stop production for this type of activity, unless you would like to reimburse the company for loss production.

I also feel its a waste of money, again you are addressing an issue found in the coal fields, so why does the M/MN and aggregates have to put up with the additional penalties and waste of time

It would be better sent fixing your coal industry and having honest and proper inspectors and inspections in the coal business, these actions would have fond this out long ago, but I guess the union have had the blinders on the government as long as the wheels are greased.

Quit dragging the other industries into the coals issues.

How do you plan on having the workers take the survey without the company knowing it? Not all personnel at the mines will see this survey on the MSHA web site. If we take it to the mine to give to the men we will not get a good response to it. If we just post the web site on the mine bulletin board the only responses we will get is from the company not the hourly workers. This will be a lopsided survey showing a perfect mine not what MSHA sees and hears every day.

Thanks! Archie Coburn- MSHA

United Mine Workers of America



TELEPHONE
(703) 291 2400

UNITED MINE WORKERS' HEADQUARTERS
18354 QUANTICO GATEWAY DRIVE, SUITE 200

Triangle, VA

22172 1779



March 8, 2013

Ms. Celeste Richie
U.S. Department of Labor, Chief Evaluation Office
Office of the Assistant Secretary for Policy
200 Constitution Avenue N.W.
Frances Perkins Bldg., Room S-2313
Washington, DC 20210

Dear Ms. Richie:

Attached are the comments of the United Mine Workers of America on the Proposed Information Collection Request (ICR) for the Mining Voice in the Workplace Survey; Comment Request. I ask that you forward these comments to the appropriate person(s) in your agency for consideration. I thank you in advance for your assistance with this matter.

Should you have any questions concerning this matter, please feel free to contact me.

Sincerely,

Dennis O'Dell, Administrator
UMWA Department of Occupational
Health & Safety

Proposed Information Collection Request Submitted for the Mining Voice in the Workplace Survey; Comment Request

The United Mine Workers of America would like to thank the Agency for the opportunity to comment on this Proposed Information Collection Request for The Mining Voice in the Workplace Survey. We are pleased to see that the Agency is making every effort to educate miners on their rights in the workplace. We hope that these comments will be considered and integrated into the development and use of the survey.

MSHA indicates that this proposal is part of the **Department** of Labor's continuing effort to reduce paperwork and respondent burden in accordance with the requirements of the Paperwork Reduction Act of 1995. This proposal provides the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information to ensure that requested data can be provided in the desired format, reporting burden is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. MSHA indicates it is particularly interested in comments that:

- **Evaluate** whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

UMWA RESPONSE: The Union believes that this information can be a valuable tool for the Agency. Based on the information to be gathered using the sample survey as written on MSHA's website, the Agency should be able to identify if the mine is safe, cooperative, worker friendly and one that places the priority of safety above production.

- **Evaluate** the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

UMWA RESPONSE: The Union believes that the manner in which the Agency suggests to reach miners through radio, paper advertisements, phone surveys, and mail should provide a means to reach out to most miners. The Union has every reason to believe that Union mines will have a better understanding of their rights so we suggest that in order for this survey to be fair and balanced, MSHA must reach out to all mining communities that encompass large mines and small mines as well as Union miners and nonunion miners.

- **Enhance** the quality, utility, and clarity of the information to be collected; and

UMWA RESPONSE: In the sample questioner MSHA is asking how the individuals feel about the Union, the company, and their coworkers with respect to certain circumstances. We believe that the same line of questions should be asked about how the individuals feel about the Agency. For example, on reporting hazards, question number 35 asks if they have experienced a negative reaction from coworkers and/or management after reporting a hazard. The Union believes that this is one example where MSHA should also be added to determine if there is a trust or comfort level between the miner and his willingness to open up to the Agency. There have been

instances where miners may not trust the Agency. This may be a way to better determine if there is a problem and to identify the areas where work may be needed to build this trust. The Union also suggests that statements made by supervisors or other mine management personal should be disregarded. These individuals have a duty to serve and protect the company not to be a voice for the miners.

- **Minimize** the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

UMWA RESPONSE: The Union agrees that electronic submissions should be provided to take advantage of technology but other means must also be provided. Some miners still struggle with reading and writing so the Agency should make available the option for miners to make confidential statements with one on one interviews. Some miners lack computer skills so mail and phone interviews may be necessary. Miners are required to work a variety of different work schedules such as 6 days a week- 9 and 10 hours a day, 4 days a week-10 hours a day, and some 3 days a week-12 hours a day. MSHA needs to be mindful of this while trying to reach and schedule miners for this survey.

MINERS' VOICE IN WORKPLACE SURVEY

Comments on Miners' Voice in Workplace Survey

The following comments are submitted by:

Mark O. Eslinger, P.E., General Safety Manager

Five Star Mining, Inc.
6594 West State Road 56
Petersburg, IN 47567
812-354-6883

Black Panther Mining, LLC
12661 North Agricare Road
Oaktown, IN 47561
812-745-2920

The proposed collection of information is not necessary for the performance of the functions of the Mine Safety Health Administration (MSHA). The information will not have practical utility. The Federal Mine Safety and Health Act of 1977 (Mine Act) and the Miner Improvement and New Emergency Response Act of 2006 (Miner Act) do not provide for of collection of this information. The collection of information should not be done.

First, the questionnaire is proposed to be only given to a specific segment of the mining population. It is not open to supervisory personnel above the first line supervisor. The questionnaire should not be given but if it is given it should be open to be answered by all of the mining population.

Second, the questionnaire asks if the miner is a union member. The Mine Act and Miner Act were passed to protect the entire mining population. It should not ask questions whether or not the miner is a member of a union. If this line of questioning is allowed the answers could be grouped by union and nonunion. The questioning would not be totally anonymous because the questionnaires could be grouped. The separation of union versus nonunion is not pertinent to the safety of the miner. Union and nonunion miners must be afforded the same protections.

The information requested asks about mine management. Questions about mine management are not pertinent to the health and safety of the miner. Questions are also raised about how the mine is run. MSHA has no right to question how a mine is operated.

The questionnaire asks whether the respondent has seen "at least one safety and health hazard." This potentially incriminates the mine. This also points fingers at mine management. Safety nets are in place to protect the miner. It is up to the miner

MSHA RIN 1219-AB75

Examinations of Work Areas in Underground Coal Mines for
Violations of Mandatory Health or Safety Standards

Mark O. Eslinger, P.E., General Safety Manager, Five Star
Mining, Inc., Black Panther Mining, LLC

to use the tools available to him or her to report hazards. After the fact questioning does not resolve the issue. At large mines MSHA is present most every day and averages multiple inspections per day. MSHA should be able to determine if hazards exist.

The questionnaire asks the respondent to name the mine that the person works in. This is not anonymous. Previous questions about seeing hazards could result in retaliation against a mine. Asking for a job title could direct MSHA to the person doing the job. The miner responding to the questionnaire could become known.

The tonnage figures about mines are already collected. This duplicates the request for information and increases the information gathering burden. It also lets MSHA target the mine that the questionnaire came from. The figures about mine employment are also already collected and again this action permits targeting the mine and increases the information gathering burden.

Questions are asked about education, race, and ethnicity. These questions have little to do with the health and safety of a mine. The race of a miner should not dictate the amount of enforcement that a mine receives.

Miners may feel obligated to answer the questionnaire. This places a burden on the miner.

The collection of this information is not necessary and is a burden to the mining industry.

Dear Ms. Ritchie:

Please accept these delayed comments on the Survey. Also, please review them in conjunction with the comments I filed on Feb. 10 regarding the OSHA/WHD Worker's Voice survey.

- 1) As we indicated in our comments on the OSHA survey, the two surveys – to the extent feasible -- should ask the same questions about the consequences of reporting injuries and the fears leading to the non-reporting of injuries. The MSHA survey uses Q. 40 and Q. 41.
- 2) In addition, Q. 40 refers only to the "last injury or illness". It should instead ask about ANY injuries or illnesses -- in a certain time frame, such as 6 or 12 months – in which the miner did not report it to mine management:

"Over the last year, did you experience any such injuries or illnesses which you did NOT report to mine management?
Yes ___ No ___.

Then, rephrase Q 41 as follows:

"If yes, I did not report the injury because I did not want to:

___ Lose a bonus or prize for myself
___ etc."

Finally, I suggest that you ask additional questions about their rights to representation, in addition to the choice about "select a representative to participate in an inspection" in questions 27 and 28. The additional rights regarding representation include:

- Select a representative to participate in an inspection, without loss of pay.
- Request my representative to participate in conferences before and after the inspection occurs
- Request my representative to review mine plans and examinations

Finally, Miners' Representatives have other rights to obtain information from MSHA during inspections and investigations. You should consider including some of these, such as participating in MSHRC proceedings, and obtaining additional information from the operator, such as air and noise sampling results, training plans, etc.

I hope these comments are useful.

Sincerely,

Eric Frumin

Health and Safety Director
Change to Win

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