

7. Awareness and Knowledge of Rights in Relation to Wages, Terms and Conditions (including the National Minimum Wage)

Key findings

Only around seven per cent of respondents cited provisions related to wages, terms or conditions in response to an unprompted/partly prompted request to cite examples of employment rights.

However, in response to a prompted question, nearly all respondents (96 per cent) reported being aware of the National Minimum Wage (NMW) as an example of law in this area.

Over half the respondents exhibited substantial knowledge of the level of the NMW and 80 per cent knew that it applies from day one of employment.

Most respondents (78 to 90 per cent depending on the scenario) identified infringements of employment law in the area of wages, terms and conditions, when presented with three hypothetical scenarios. The majority of this group, in turn (76-89 per cent) showed that their recognition of an infringement was based on some knowledge of the relevant legislation. An even higher proportion (85-94 per cent) said that faced with a similar infringement themselves they would take action.

Those who assessed themselves as having high levels of awareness/knowledge of employment law in general also demonstrated greater than average levels of substantive knowledge of the details of the NMW provisions.

Male, white, and better qualified respondents are more likely to cite examples from this area of law. By contrast, women and non-white employees are more likely to demonstrate substantive knowledge of the provisions of the NMW.

Awareness (unprompted or prompted) of wages, terms and conditions legislation in general, and the NMW in particular appears to be lowest in the lower level manual and service occupations, and in low paid occupations. And (prompted) awareness of the NMW is lowest among employees in the distribution, catering and related sectors. By contrast, among those who are aware of the NMW, substantive knowledge of the rate at which it is set is much greater among low paid staff and those who do not have written statements of their terms and conditions of employment. This suggests perhaps that, although less

likely to be aware of the NMW's existence, these groups, once aware have reasons to show interest in, and knowledge of the level at which it is set.

Respondents with experience of employment problems in general, but particularly those with experience of (perceived) infringements in the area of wages, terms and conditions, are more likely than average to demonstrate prompted awareness of the NMW, and more likely to be able to demonstrate substantive knowledge of its provisions.

In this chapter we present findings related to various measures of respondents' awareness and knowledge of employment rights and legislation which relate to issues concerned with employees' wages (including the National Minimum Wage), terms and conditions (including contracts of employment, statements of employment *etc.*). As in previous chapters¹, we start with informed awareness (unprompted or partly prompted), and move on to prompted awareness, before looking at respondents' substantive knowledge of aspects of legislation, and concluding with an examination of their responses to three hypothetical situations or 'scenarios' relating to infringements of specific rights in this area.

7.1 Informed awareness (unprompted or partly prompted)

This section is based on those responses to the question:

'Can you tell me of any laws that protect your rights at work?'

in which the individual named a law relating to wages, terms and conditions, either unprompted, or after an example of an employment right was presented to them.

Referring to Table 3.5 in Chapter 3 we can see that:

- 5.6% of respondents cited the National Minimum Wage in response to this question, and that
- 1.3% cited employees' rights to a written contract, terms and conditions.

In Tables 7.1 to 7.4, therefore, we present a more detailed breakdown of respondents who cited employment legislation in either or both of these areas, looking at their personal and employment characteristics, as well as whether they had had prior experience of employment problems.

In Table 7.1 it can be seen that:

¹ For further explanation of the different definitions of 'awareness' and 'knowledge' deployed in this chapter, and throughout the report, see Chapter 2.

Table 7.1: Informed awareness of rights relating to terms, conditions and wages, by personal characteristics (per cent)

Personal characteristic	Informed awareness (unprompted/partly prompted)	
	Named a right related to terms, conditions and wages	Unweighted base (n = 100%)
Gender (%)		
Male	7.4	444
Female	6.2	556
Ethnic origin (%)		
White	6.9	949
Non-white	5.6	45
Age (%)		
16-25	8.5	139
26-35	7.5	273
36-45	7.8	276
46-55	5.4	228
56-64	4.1	81
Highest qualification (%)		
No qualifications	3.1	150
NVQ 1	3.4	96
NVQ 2	7.0	221
NVQ 3	4.6	173
NVQ 4	8.4	283
NVQ 5	14.7	66

Note: all percentages are row percentages.

- men are more likely than women to cite rights in this area
- white respondents are more likely than non-whites to exhibit unprompted or partly prompted awareness of rights relating to wages, terms and conditions
- the likelihood of respondents citing such legislation declines with age, such that those over 56 years old are only half as likely to exhibit awareness of these rights in this sense as those in the 16 to 25 age group
- there is some tendency for this kind of awareness of rights relating to wages, terms and conditions to increase with the educational level of respondents, and in particular, those educated to NVQ Level 5 or equivalent are much more likely than others to cite these provisions.

Turning to employment characteristics (Table 7.2) the following features stand out:

Table 7.2: Informed awareness of rights relating to terms, conditions and wages, by employment characteristics (per cent)

Employment characteristic	Informed awareness (unprompted/partly prompted)	
	Named a right related to terms, conditions and wages	Unweighted base (n = 100%)
Occupation (%)		
Managerial/admin	6.4	183
Professional/technical	6.5	196
Assoc. professional/technical	11.2	96
Clerical/secretarial	10.2	158
Craft/skilled manual	6.1	84
Personal/protective services	1.1	71
Sales	5.9	69
Plant/machine operatives	3.9	28
Other unskilled	7.9	101
Sector (%)		
Primary & extractive	*	21
Manufacturing, utilities & constr.	3.5	198
Distribution, catering, transport etc.	7.1	234
Business and financial services	9.6	99
Public admin, education and health	6.1	313
Other services	8.3	68
Size of workplace (no. of employees) (%)		
Under 15	8.2	173
15-49	5.7	198
50-199	8.7	211
200-499	4.9	123
500-1,999	2.7	105
2000+	9.8	91
Employment status (%)		
Permanent	6.5	885
Temporary	8.6	102
Working time (%)		
Under 16 hours p.w.	13.2	75
16-34 hours p.w.	10.4	174
35 + hours p.w.	5.7	751
Union membership (%)		
Member	5.9	333
Non- member	7.1	642

Note: all percentages are row percentages.

** = fewer than five respondents in cell.*

- Unprompted/partly prompted awareness of wages, terms and conditions legislation is highest among lower level white

collar workers (*ie* associate professional/technical staff, clerical and secretarial staff, rather than managerial and professional staff) and is lowest among some low skilled manual and service occupations (personal and protective services, and plant and machine operatives).

- Awareness of this kind is highest in the business and financial services sector, and lowest in manufacturing, utilities and construction.
- There is no clear relationship between awareness and workplace size.
- Temporary workers (for whom such rights might, perhaps, have greater significance in many cases) exhibit greater awareness than permanent staff.
- Similarly, awareness seems to decrease with weekly hours worked — thus part-timers working fewer than 16 hours a week are more than twice as likely to cite rights in this area as full-timers working 35 hours a week or more.
- Finally, union members are less aware (in this unprompted/prompted sense) of rights relating to wages, terms and conditions than are non-unionised staff.

In Table 7.3 we look at how this kind of awareness varies by two employment characteristics which we might expect to be particularly relevant to this area of employment law (*ie* by wage levels, and by whether the respondents in fact have written statements of their terms and conditions). It is perhaps surprising to note that awareness is lowest among those whose wages are

Table 7.3: Informed awareness of rights relating to terms, conditions and wages, by specific characteristics of relevance to this area of law (per cent)

Characteristic	Informed awareness (unprompted/prompted)	
	Named a right related to terms, conditions and wages	Unweighted base (n = 100%)
Hourly rate of pay* (%)		
Less than £5.00 an hour	4.7	188
£5.00 to £7.40	7.9	173
£7.40 to £10.96	6.1	171
£10.97 and more	9.3	171
Have statement of terms and conditions? (%)		
Yes	6.5	820
No	8.6	155

Note: (1) * = 297 individuals preferred not to disclose information about their income and 13 self employed individuals were not asked about a statement of terms and conditions.

(2) All percentages are row percentages.

closest to the National Minimum Wage (NMW) (at less than £5.00 per hour), and highest among those earning more than three times the NMW. It would also appear that those who do not have a written statement of terms and conditions are more likely to be aware of rights in this area than those who do.

Finally, Table 7.4 shows that there is no tendency for respondents who have had personal experience of employment problems related to wages, terms or conditions to show higher levels of awareness of legislation in this area. If anything, the relationship is in the other direction, with those having experience of this kind of problem showing lower unprompted/partly prompted awareness than those with experience of other types of problem and than those with no experience of employment problems.

Table 7.4: Informed awareness of rights relating to terms, conditions and wages by experience of problems at work relating to this area of law (per cent)

Experience of problem	Informed awareness (unprompted/partly prompted)	
	Named a right related to terms, conditions and wages	Unweighted base (n = 100%)
Had experience of this area of law (%)	4.5	31
Experienced problems but not with this area of law (%)	12.1	133
No problems with employment law (%)	6.2	836

Note: All percentages are row percentages.

7.2 Informed awareness (prompted)

As explained in Chapter 2, following the unprompted and partly prompted awareness questions, respondents were asked, in each area of legislation, a direct question about their awareness of one specific piece of legislation in that area.

In the area of wages, terms and conditions, the piece of legislation chosen to test prompted awareness was the National Minimum Wage (NMW). Thus, respondents were asked:

'One of your rights as an employee is the right to a National Minimum Wage. Were you aware of this right?'

As noted in Chapter 3 (Table 3.6), 96 per cent of respondents were aware of the NMW, when asked this direct question (a higher proportion than were aware of any of the other four direct questions used to test awareness of other areas of employment law).

In this section (Tables 7.5 to 7.8), we look at how (prompted) awareness of the NMW varies with the personal and job characteristics of respondents.

Looking at personal characteristics first, Table 7.5 shows that:

- there is no difference between men and women in prompted awareness of the NMW
- a substantially higher proportion of white than non-white respondents are aware of the NMW
- no strong age pattern is detectable
- no clear pattern by educational level is evident, although the most well-qualified group (NVQ Level 5) exhibit lower than average awareness.

Table 7.5: Informed awareness (prompted) of the National Minimum Wage, by personal characteristics (per cent)

Personal characteristic	Prompted awareness	
	Aware of National Minimum Wage	Unweighted base (n = 100%)
Gender (%)		
Male	96.3	444
Female	96.2	556
Ethnic origin (%)		
White	97.1	949
Non-white	81.5	45
Age (%)		
16-25	95.0	139
26-35	97.1	273
36-45	94.8	276
46-55	97.3	228
56-64	97.3	81
Highest qualification (%)		
No qualifications	93.9	150
NVQ 1	97.8	96
NVQ 2	94.4	221
NVQ 3	99.3	173
NVQ 4	99.0	283
NVQ 5	89.7	66

Note: all percentages are row percentages.

Table 7.6: Prompted awareness of the National Minimum Wage, by employment characteristics (per cent)

Characteristic	Prompted awareness	
	Aware of National Minimum Wage	Unweighted base (n = 100%)
Occupation (%)		
Managerial/admin	99.4	183
Professional/technical	98.6	196
Assoc. professional/technical	100.0	96
Clerical/secretarial	96.4	158
Craft/skilled manual	100.0	84
Personal/protective services	86.7	71
Sales	92.9	69
Plant/machine operatives	90.8	28
Other unskilled	96.8	101
Sector (%)		
Primary & extractive	100.0	21
Manufacturing, utilities & construction	97.3	198
Distribution, catering, transport <i>etc.</i>	92.5	234
Business and financial services	97.9	99
Public admin, education and health	98.3	313
Other services	96.7	68
Size of workplace (no. of employees) (%)		
Under 15	98.0	173
15-49	93.1	198
50-199	95.7	211
200-499	98.6	123
500-1,999	96.4	105
2,000+	97.6	91
Employment status (%)		
Permanent	96.5	885
Temporary	95.3	102
Working time (%)		
Under 16 hours p.w.	92.6	75
16-34 hours p.w.	94.0	174
35 + hours p.w.	96.9	751
Union membership (%)		
Member	97.1	333
Non- member	96.0	642

Note: all percentages are row percentages.

Turning to employment characteristics (Table 7.6):

- Awareness of the NMW is almost universal among white collar occupations and skilled manual/craft occupations, but somewhat less so among lower skilled manual and service sector occupations; this is a notable result in that one might expect a higher proportion of workers in the latter group to be employed at or near the NMW.
- Awareness of the NMW is somewhat lower than average in the distribution, catering and related sectors (again, these are sectors in which a larger concentration of workers affected by the NMW are likely to be found).
- There is no clear pattern in awareness of the NMW by establishment size.
- There is no significant difference between the awareness levels of the NMW among permanent and temporary staff, or among union-members and non-members (although permanent staff and union-members record slightly higher than average awareness).
- Awareness of the NMW tends to increase with working time — *ie* part-timers working less than 16 hours have the lowest awareness levels, and full-timers (working 35 hours or longer a week) the highest (although the differences are not large).

Table 7.7 looks at some specific characteristics of respondents' employment, which might be expected to be relevant to their awareness of NMW and other legislation relating to terms, conditions *etc.* The patterns shown in the tables, although not generally exhibiting large variation between groups, are nevertheless striking:

- First (and consistent with the occupational and sectoral patterns recorded above) it is clear that those in lower wage groups are, if anything, less likely to be aware of the NMW than those whose hourly rate of pay is well above that specified in the NMW.
- Respondents whose employers have given them a written statement of their terms and conditions are more likely to report awareness of the NMW in response to a direct question, than those who have not received such documents.

Finally, without exception, the small number of respondents with experience of employment problems relating to wages, terms or conditions all reported awareness of the NMW. Among those with experience of problems relating to other areas of employment law, or with no experience of problems at all there was, however, a minority who were not aware of the NMW (see Table 7.8).

Table 7.7: Prompted awareness of rights relating to terms, conditions and wages, by specific characteristics of relevance to this area of law (per cent)

Characteristic	Prompted awareness	
	Aware of National Minimum Wage	Unweighted base (n = 100%)
Hourly rate of pay* (%)		
Less than £5.00 an hour	95.4	188
£5.00 to £7.40	94.6	173
£7.40 to £10.96	99.4	171
£10.97 and more	98.8	171
Have statement of terms and conditions (%)		
Yes	97.1	820
No	92.1	155

Notes: (1) * = 297 individuals preferred not to disclose information about their income and 13 self-employed individuals were not asked about a statement of terms and conditions.
(2) All percentages are row percentages.

Table 7.8: Prompted awareness of the National Minimum Wage, by experience of problems at work relating to this area of law (per cent)

Experience of problem	Prompted awareness	
	Aware of National Minimum Wage	Unweighted base (n = 100%)
Had experience of this area of law (%)	100.0	31
Experienced problems but not with this area of law (%)	98.3	133
No problems with employment law (%)	95.9	836

Note: all percentages are row percentages.

7.3 Substantive knowledge

This section reports the substantive knowledge-testing questions. These were asked of respondents who had indicated that they had been aware of the particular employment right, their knowledge of which was being tested (in this case, the National Minimum Wage).

7.3.1 Details of the knowledge testing questions

Two detailed knowledge questions were asked (one open question and one multiple choice) covering the level of the NMW and the question of whether there is a length of service criterion for eligibility. The responses to each of these are summarised in Table 7.9 below.

Table 7.9: Details of knowledge questions for work–life balance legislation (per cent)

Question	Question type	Response option	Of those asked question	Of total sample
Can you tell me the current hourly rate of the National Minimum Wage for an employee, over the age of 21, not in training? (NMW rate)	Open ended	Underestimate	7.4	7.1
		Correct (£3.60, to within ten pence)	52.6	50.7
		Overestimate	27.1	26.1
		Don't know	13.0	12.5
How long must you work for an employer before you are entitled to ask for the relevant National Minimum Wage? (NMW entitlement)	Multiple choice	1 month	2.7	2.8
		1 year	1.9	2.0
		Correct (you are entitled to the National Minimum Wage from day one of your employment)	80.5	83.5
		Don't know	11.3	11.7
		Unweighted base (n = 100%)	953	1000

Over half of the respondents identified the level of the NMW (to within ten pence), and four out of five correctly identified that employees are eligible for the NMW from the first day of their employment (given that there were three multiple response questions, this is much higher than could be expected by chance alone).

7.3.2 Substantive knowledge by self assessed awareness/knowledge

In Table 7.10 we compare respondents' self-assessments of their levels of awareness/knowledge about employment rights in general, with levels of knowledge about the NMW in particular.

The relationship in both cases (with regard to the NMW rate, and with regard to eligibility for the NMW) is in the expected direction, *ie* generally speaking, those who rate themselves as 'well informed' are most likely to give the correct answer to the substantive knowledge question, and those who identify themselves as 'not well informed and not interested' are most likely to get the answer wrong.

Table 7.10: Knowledge of rights relating to terms, conditions and wages, by self assessed awareness/knowledge combined (per cent)

Self assessed awareness/knowledge	Substantive knowledge		
	NMW rate Correct	NMW entitlement Correct	Unweighted base (n = 100%)
Well informed and knowledgeable (%)	53.0	86.7	184
Well informed but could know more (%)	55.4	83.2	486
Not well informed and could know more (%)	50.0	83.0	280
Not well informed and not interested (%)	29.6	74.1	26

Note: all percentages are row percentages.

7.3.3 Substantive knowledge by individual characteristics

This section looks at how substantive knowledge about the level of, and eligibility for the NMW varied with respondents' personal and employment characteristics and their prior experience of problems at work.

Personal characteristics

As Table 7.11 shows, there are no consistent or strong patterns by age or qualification in the likelihood of a correct answer to either of the two substantive knowledge questions on the NMW, with

Table 7.11: Knowledge of rights relating to terms, conditions and wages, by personal characteristics

Personal characteristics	Substantive knowledge		
	NMW rate Correct	NMW entitlement Correct	Unweighted base (n = 100%)
Gender (%)			
Male	52.1	82.6	433
Female	53.2	85.0	543
Ethnic origin (%)			
White	52.3	83.3	777
Non-white	53.5	88.4	32
Age (%)			
16-25	60.2	87.3	133
26-35	51.7	87.8	266
36-45	45.1	84.0	270
46-55	56.9	80.2	224
56-64	55.7	69.0	80
Highest qualification (%)			
No qualifications	51.6	72.8	144
NVQ 1	43.2	63.6	95
NVQ 2	55.6	84.1	213
NVQ 3	67.5	84.8	171
NVQ 4	46.8	93.3	281
NVQ 5	42.6	75.8	62

Note: all percentages are row percentages.

the exception that knowledge of the eligibility criterion tended to decline with age.

Unusually, however, the table also shows, for both questions, that women are more likely to get the answer right than men, and non-white employees more likely to get it right than whites, although the differences are small in both cases.

Employment characteristics

Similarly when it comes to employment characteristics, the patterns are not, for the most part, clear or consistent ones. Thus:

- Looking at occupations, sales staff are most likely to answer the question about the NMW rate correctly, and clerical and secretarial staff are least likely to. On the eligibility question, by contrast, associate professional/technical staff are most likely to get it right, and plant and machine operatives are least likely to do so.

Table 7.12: Knowledge of rights relating to terms, conditions and wages, by employment characteristics

Employment characteristic	Substantive knowledge		
	NMW rate Correct	NMW entitlement Correct	Unweighted base (n = 100%)
Occupation (%)			
Managerial/admin	50.9	87.1	182
Professional/technical	60.6	85.5	194
Assoc. professional/technical	45.9	88.7	95
Clerical/secretarial	44.3	90.2	153
Craft/skilled manual	47.4	81.6	84
Personal/protective services	64.1	82.1	66
Sales	65.8	84.8	66
Plant/machine operatives	46.4	62.3	25
Other unskilled	54.8	75.4	98
Sector (%)			
Primary & extractive	68.4	94.7	21
Manufacturing, utilities & constr.	54.4	77.2	192
Distribution, catering, transport <i>etc.</i>	55.0	82.4	226
Business and financial services	48.9	91.3	98
Public admin, education and health	49.6	84.9	309
Other services	47.4	80.7	66
Size of workplace (no. of employees) (%)			
Under 15	53.1	85.4	
15-49	53.4	83.4	170
50-199	59.6	82.8	194
200-499	47.2	83.7	203
500-1,999	45.0	75.0	121
2,000+	39.2	87.5	103
Employment status (%)			
Permanent	53.6	82.5	865
Temporary	47.2	89.4	99
Working time (%)			
Under 16 hours p.w.	40.8	81.6	72
16-34 hours p.w.	61.4	81.7	170
35 + hours p.w.	51.8	83.9	734
Union membership (%)			
Member	45.8	77.4	326
Non- member	56.0	86.1	627

Note: all percentages are row percentages.

- Sectoral patterns are more consistent — both questions are most likely to be answered correctly by respondents in the

primary and extractive sectors, and least likely to be answered correctly by those in the 'other services' sector.

- There are no clear patterns by establishment size, although there is some tendency for a higher proportion of those in smaller establishments to identify the NMW rate correctly.
- Permanent employees are more likely than temporary staff to know that the NMW is £3.60 per hour (at the time of the survey) but temporary staff are more likely to know that the NMW applies from day one of their employment.
- Employees working 16 to 34 hours a week are significantly more likely to know the NMW rate than those working longer, or (especially) shorter hours.
- Respondents who are not members of trade unions are significantly more likely to answer both questions correctly than their counterparts who are union members (this might perhaps reflect a greater need to be aware of the legislation among non-members than members).

Table 7.13 shows that despite the lack of such a relationship with regard to whether respondents are *aware* of the NMW, there is a strong and inverse relationship between individuals' pay rates and their likelihood of knowing the level at which the NMW is set. Those with hourly wages of less than £5.00 are much more likely to answer this question correctly than those on higher wage rates. This suggests that although less likely to be aware of the NMW's existence, once aware, the low paid are more likely than better paid people, for obvious reasons, to show interest and knowledge in the level at which it is set.

Table 7.13: Knowledge of rights relating to terms, conditions and wages, by specific characteristics of interest

Specific characteristics of relevance to this area of law	Substantive knowledge		Unweighted base (n = 100%)
	NMW rate Correct	NMW entitlement Correct	
Hourly rate of pay* (%)			
Less than £5.00 an hour	65.5	81.2	182
£5.00 to £7.40	52.9	86.0	167
£7.40 to £10.96	45.8	86.4	170
£10.97 and more	38.9	87.0	169
Have statement of terms and conditions (%)			
Yes	51.4	83.4	803
No	60.9	82.8	150

Notes: (1) * = 297 individuals preferred not to disclose information about their income and 13 self-employed individuals were not asked about a statement of terms and conditions.

(2) All percentages are row percentages.

As far as respondents' substantive knowledge of eligibility for the NMW, however, the relationship is much weaker and in the opposite direction (higher paid people being more likely to get the answer right).

The table also shows that while there is little difference between those with and those without statements of terms and conditions, in their knowledge regarding eligibility, those without such statements are more likely than those who have them to know the rate at which the NMW is set.

Experience of problems at work

Generally speaking, respondents with experience of employment problems at work (especially if those problems have been related to wages, terms or conditions) are more likely to answer correctly the questions relating to knowledge of the provisions of the NMW than are respondents without such experience (Table 7.14).

Table 7.14: Knowledge of rights relating to terms, conditions and wages, by experience of problems at work

Experience of problem	Substantive knowledge		
	NMW rate	NMW entitlement	Unweighted base (n = 100%)
	Correct	Correct	
Had experience of this area of law (%)	59.1	86.4	47
Experienced problems but not with this area of law (%)	58.3	85.2	114
No problems with employment law (%)	51.4	83.0	815

Note: all percentages are row percentages.

7.4 Perception of entitlements (scenarios)

Respondents were presented with a series of three scenarios relating to breaches of rights in the broad area of wages, terms and conditions, and asked to identify whether the action in question was lawful or not. The three areas were as follows:

Payment for temporary worker

Your friend is employed by an agency to work as a temp. The agency has not paid him for his last week's work. They say the firm where he was working has not yet paid them.

Refusal to supply contract

Your friend has worked at a factory for three months; she asks her employer for a copy of her employment contract. The employer refuses,

saying that no one else at the factory has a contract, why should he provide her with one?

Deduction from wages

Your friend works as a delivery driver. He crashes his van whilst at work. When he returns to his base, his employer explains that his wages for that week will be docked by £100, the amount of money which is the excess on the van's insurance policy.

7.4.1 Extent to which respondents identified scenarios as unlawful

Table 7.15 shows that while the vast majority of respondents identified the situations relating to non-payment of a temporary employee, and non-provision of an employment contract as unlawful (close to 90 per cent in both cases), slightly fewer did so in the case of the docking of wages to pay for the damaged van.

Table 7.15: Perception of entitlement re: wages, terms and conditions

Perception of entitlement	Scenario concerned		
	Payment for temporary worker (%)	Refusal to supply contract (%)	Deduction from wages (%)
Identified as unlawful	87.4	89.5	78.5
Unable to identify as unlawful	12.6	10.5	21.5
Unweighted base (n = 100%)	188	230	210

7.4.2 Perception of entitlement by self assessed awareness/knowledge

Table 7.16 compares self-assessed general awareness and knowledge of employment rights, with respondents' perceptions of the lawfulness of the three scenarios relating to wages, terms and conditions.

While there is some relationship in the expected direction for two of the three scenarios (i.e. those who assess themselves as well-informed and knowledgeable are more likely to identify the scenario as unlawful), this is not the case in the third scenario, relating to the unlawful non-payment of a temporary worker, where the self-assessed 'well-informed and knowledgeable' group are least likely to identify the hypothetical situation as unlawful.

Table 7.16: Perception of entitlement by self assessed awareness/knowledge

Self-assessed awareness/knowledge	Perception of entitlement					
	Payment for temporary worker		Refusal to supply contract		Deduction from wages	
	Identified as unlawful	Un-weighted base	Identified as unlawful	Un-weighted base	Identified as unlawful	Un-weighted base
Well informed and knowledgeable (%)	83.9	34	93.3	41	89.3	45
Well informed but could know more (%)	89.9	93	88.6	114	74.1	103
Not well informed and could know more (%)	84.0	53	88.9	69	83.9	59
Not well informed and not interested (%)	90.9	8	*	6	*	3

Notes: (1) * = fewer than five respondents in cell.
(2) All percentages are row percentages.

7.4.3 Perception of entitlement by individual characteristics

Table 7.17 looks at the responses to the scenario questions by personal characteristics of the respondents. There are few clear patterns here, apart from the relationship with ethnic origin (in each case the white respondents are more likely to identify the scenario as lawful, and in two of the three cases substantially more likely to). Otherwise, the data show no consistent or simple variation by gender, age or qualification.

Similarly, looking at employment characteristics (Table 7.18) there are no clear or consistent patterns in the variation by occupation, sector, size, working time, employment status or union membership in the proportion identifying the scenarios as unlawful.

Table 7.17: Perception of entitlement of rights relating to terms, conditions and wages, by personal characteristics

Personal characteristic	Perception of entitlement					
	Payment for temporary worker		Refusal to supply contract		Deduction from wages	
	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base	Identified as unlawful	Unweighted base
Gender (%)						
Male	87.6	83	89.6	105	80.5	95
Female	88.0	105	88.9	125	75.9	115
Ethnic origin (%)						
White	88.3	181	90.9	212	78.6	198
Non-white	66.7	7	73.3	14	76.5	11
Age (%)						
16-25	61.1	18	91.7	33	80.6	33
26-35	96.4	49	88.9	72	72.9	50
36-45	86.5	54	84.2	62	74.1	60
46-55	86.8	47	93.0	46	88.0	52
56-64	88.9	20	92.9	16	81.8	14
Highest qualification (%)						
No qualifications	91.3	35	90.9	32	81.8	28
NVQ 1	66.7	18	96.6	24	80.0	13
NVQ 2	89.8	45	90.7	57	76.9	30
NVQ 3	94.4	28	78.3	43	95.5	32
NVQ 4	87.5	49	86.2	55	66.1	50
NVQ 5	88.2	13	100.0	15	75.0	8

Note: all percentages are row percentages.

Table 7.18: Perception of entitlement of rights relating to terms, conditions and wages, by employment characteristics

Employment characteristic	Perception of entitlement					
	Payment for temporary worker		Refusal to supply contract		Deduction from wages	
	Identified as unlawful	Un-weighted base	Identified as unlawful	Un-weighted base	Identified as unlawful	Un-weighted base
Occupation (%)						
Managerial/admin	87.5	45	94.3	40	82.1	37
Professional/technical	90.5	33	92.6	43	82.9	49
Assoc. professional/technical	68.2	19	96.0	24	71.4	17
Clerical/secretarial	96.3	31	89.7	36	54.2	30
Craft/skilled manual	81.0	15	78.9	16	81.8	19
Personal/protective services	84.2	15	75.0	11	75.0	15
Sales	100.0	13	100.0	20	85.7	13
Plant/machine operatives	*	3	79.4	10	100	6
Other unskilled	88.9	13	84.6	25	73.3	21
Sector (%)						
Primary & extractive	*	4	100.0		80.0	6
				5		
Manufacturing, utilities & constr.	83.3	37	86.4	47	77.1	41
Distribution, catering, transport <i>etc.</i>	93.0	42	91.9	59	91.1	46
Business and financial services	76.5	17	96.0	24	73.7	23
Public admin, education and health	86.7	66	90.0	69	69.8	66
Other services	94.4	18	85.7	11	50.0	11
Size of workplace (no. of employees) (%)						
Under 15	94.4	39	94.1	39	76.0	32
15-49	85.3	33	82.4	45	86.1	38
50-199	86.4	41	93.5	46	74.5	45
200-499	82.4	15	90.0	25	78.4	26
500-1,999	64.3	11	96.9	23	81.8	27
2,000+	95.2	15	93.3	32	64.3	18
Employment status (%)						
Permanent	87.1	171	92.0	206	77.5	186
Temporary	87.5	16	60.0	20	83.3	22
Working time (%)						
Under 16 hours p.w.	90.0	14	73.3	20	60.0	15
16-34 hours p.w.	62.5	33	92.6	37	80.6	41
35 + hours p.w.	91.8	141	90.7	173	79.2	154
Union membership (%)						
Member	84.0	62	93.7	74	70.6	71
Non-member	88.2	123	90.0	148	82.8	136

Notes: (1) * = fewer than five respondents in cell.
(2) All percentages are row percentages.

7.5 How far are perceptions based on knowledge?

This section tackles the question of whether respondents who judged the various scenario situations relating to wages, terms and conditions as unlawful did so with some knowledge of the underlying legislation (rather than through some broader perception of ‘fairness’ or similar).

Table 7.19 shows that in most cases where respondents had identified the scenario as unlawful (between three quarters and close to 90 per cent of respondents, depending on the scenario), they were able also to identify the legal reason, or the relevant provision of the law which underlay the presumed unlawfulness of the situation described in the scenario.

Table 7.19: Whether perception of entitlement relating to terms, conditions and wages is based on knowledge

Whether perception of entitlement is based on knowledge	Scenario		
	Payment for temporary worker (%)	Refusal to supply contract (%)	Deduction from wages (%)
Named relevant area of law	88.6	82.7	75.7
Named other area of law/don't know	11.4	17.3	24.3
Unweighted base (n = 100%)	166	202	164

Table 7.20 shows us that there is no clear correlation between individual respondents’ self-assessment of their own levels of awareness and knowledge about employment rights in general, and their likelihood of citing the relevant area of law when identifying a presumed breach of employment rights. In particular there is no evidence that those who assess themselves as ‘well informed and knowledgeable’ are more likely on average to make judgements about the scenarios on the basis of knowledge about the underlying legislation.

Table 7.20: Knowledgeable perception of legislation on terms, conditions and wages, by self-assessed awareness/knowledge

Self-assessed awareness/knowledge	Knowledgeable perception of entitlement (ie respondent named relevant area of law)								
	Payment for temporary worker			Refusal to supply contract			Deduction from wages		
	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted Base
Well informed and knowledgeable (%)	84.6	71.0	28	75.6	70.5	37	84.0	75.0	41
Well informed but could know more (%)	91.3	82.0	84	80.7	71.5	101	73.3	54.3	72
Not well informed and could know more (%)	83.3	70.0	47	93.6	83.0	60	78.7	66.1	49
Not well informed and not interested (%)	100.0	90.9	7	*	*	4	*	*	2

*Note: all percentages are row percentages.
* = fewer than five respondents in cell.*

Similarly, looking at some basic personal and relevant employment characteristics (Table 7.21), we can see that:

- There is no clear variation by gender, by pay level or indeed by whether the respondent has a written statement of terms and conditions, in the likelihood of respondents making informed judgements about scenarios in the area of wages, terms and conditions.
- The only consistent pattern across the three scenarios in this respect is that non-unionised are more likely to make informed judgements than their unionised counterparts, but there is no clear interpretation for such a pattern.

7.6 Taking action

As with the other areas of employment, individuals identifying a scenario as unlawful were asked if they would take action (such as seeking advice from an independent source, or discussing the matter with the employer) if they found themselves in that situation. The pattern is once more consistent across all three scenarios (Table 7.22), with the majority of respondents (85 to 94 per cent, depending on the scenario, saying that they would take action in such circumstances.

Table 7.21: Knowledgeable perception of legislation on terms, conditions and wages, by individual characteristics

Characteristic	Knowledgeable perception of entitlement (<i>ie</i> respondent named relevant area of law)									
	Payment for temporary worker			Refusal to supply contract			Deduction from wages			
	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	Relev't (% of those recog'g scenario as unlawful)	Relev't (% of all asked scenario question)	Un-weigh -ted base	
Gender (%)										
Male	90.1	78.8	74	77.5	69.4	93	83.2	66.9	74	
Female	86.4	76.0	92	91.3	81.1	109	65.2	49.4	90	
Union membership (%)										
Member	87.8	73.5	54	75.7	70.9	68	70.8	50.0	56	
Non- member	89.3	78.7	109	87.2	78.5	128	77.5	64.2	106	
Hourly rate of pay (%)										
Less than £5.00 an hour	80.0	63.2	22	79.3	67.6	36	79.2	54.3	28	
£5.00 to £7.40	77.3	70.8	28	83.3	76.1	43	77.8	53.8	26	
£7.40 to £10.96	88.9	85.7	30	93.9	86.1	35	83.3	71.4	32	
£10.97 and more	88.9	78.0	34	94.1	94.1	34	72.2	48.1	25	
Statement of terms and conditions? (%)										
Yes	89.0	76.1	141	81.5	75.3	166	73.0	59.2	139	
No	83.3	83.3	22	87.5	75.0	30	91.3	61.8	23	

Note: all percentages are row percentages.

*= fewer than five respondents in cell.

Table 7.23 explores respondents' 'propensities to take action' in the context of the three scenarios:

- Women would be more likely than men to act over non-payment to a temporary employee, and illegal deduction of wages to cover an insurance excess. Men, however, would be more likely to take action over not having been supplied with an employment contract.

Table 7.22: Whether individuals would take action if scenarios related to wages, terms or conditions happened to them

Whether individual would take action in that situation	Scenario		
	Payment for temporary worker	Refusal to supply contract	Deduction from wages
Yes, would take action	93.7	85.1	90.8
No, would not take action	6.3	14.9	9.2
Unweighted base (n = 100%)	166	202	164

- Similarly, with each of the other three characteristics examined in the table, which might be expected to be of relevance to respondents' views regarding scenarios connected with wages, terms and conditions (hourly pay, possession of a statement of terms and conditions from the employer, and union membership), there is no clear pattern. In each case, the relationship between the characteristic and the propensity to take action lies in one direction for some of the scenarios, and in the other direction for the rest.

Table 7.23: Propensity to take action in terms, conditions and wages scenarios by individual characteristics

Individual characteristic	Scenario					
	Payment for temporary worker		Refusal to supply contract		Deduction from wages	
	% would take action	Unweighted base	% would take action	Unweighted base	% would take action	Unweighted base
Gender (%)						
Male	90.2	74	88.4	93	89.5	74
Female	98.5	92	80.0	109	93.8	90
Hourly rate of pay (%)						
Less than £5.00 an hour	100	22	65.5	36	100	28
£5.00 to £7.40	100	28	81.0	43	100	26
£7.40 to £10.96	100	30	97.0	35	72.2	32
£10.97 and more	93.3	34	84.8	34	94.4	25
Statement of terms and conditions? (%)						
Yes	93.4	141	89.8	166	89.8	139
No	94.1	22	66.7	30	95.7	23
Union membership (%)						
Member	92.9	54	91.9	68	95.8	56
Non- member	93.8	109	83.8	128	88.3	106

Note: all percentages are row percentages.