

Evaluation of the Impact of the New NIH Ethics Rules on Recruitment and Retention

October 26, 2006





Background

- Allegations of conflicts of interest, mostly resulting from outside activities of NIH employees with pharmaceutical industry, prompted several reviews of the NIH ethics program by Congress and others
- NIH-specific ethics rules issued in February 2005 and comments were solicited from the public
- Based on public and employee feedback and program reviews, final NIH ethics rules issued in August 2005
- At the time of issuance of final rules, NIH committed to assessing the impact of regulations on the agency, in particular recruitment and retention
- Mandatory ethics training on new rules completed by >90% NIH employees by January 2006
- ORC Macro, an independent research organization, engaged to conduct evaluation
- Current survey results are first stage of a three-phase assessment plan

Research Objective and Approach

Determine the likely impact of the new ethics regulations on recruiting and retaining the best and brightest people to the National Institutes of Health (NIH)

■ Phase I

A series of interviews and focus groups with NIH stakeholders and employees (Spring 2005).

■ Phase IIIa

A telephone survey of employees who recently left NIH to determine the impact of the new ethics rules on their decisions to leave (est. Fall 2006).

■ Phase IIIb

A telephone survey of potential employees to determine the effect of the new ethics rules on their desire to seek employment at NIH (est. Fall 2006).

Methodology

- Administered via Internet to all NIH employees (not including contractors or fellows)
- Fielding period: Monday, June 19, 2006 to Wednesday, July 12, 2006
- Respondent identities and responses kept confidential
- 8,000 total responses resulting in a 48% response rate
- Questionnaire
 - Ratings of job satisfaction and the NIH work environment.
 - Understanding of new NIH ethics rules.
 - Evaluation of the annual ethics training.
 - The perceived impact of the new ethics rules.
 - Opinions of each element of the new ethics rules (e.g., outside activities, financial holdings, acceptance of gifts associated with certain awards).
 - Suggestions about improving or clarifying the new ethics rules or compliance process.
 - Limited demographics.



Response Distribution

- Where data were available for the population, ORC Macro found that the survey respondents had demographic characteristics very similar to those of the entire employee population.
- Response Rate: All employees 48%; All Scientists ~ 48%; Tenured 45%; and Tenure Track 36%

| Institute/Center [†] | Population | Respondents |
|--|------------|-------------|
| National Cancer Institute | 14.6% | 13.5% |
| National Heart, Lung, and Blood Institute | 4.6% | 4.8% |
| National Institute of Allergy and Infectious Diseases | 9.6% | 10.3% |
| National Institute of Diabetes and Digestive and Kidney Diseases | 3.7% | 3.7% |
| National Institute of Environmental Health Sciences | 4.0% | 4.2% |
| National Institute of Mental Health | 3.6% | 4.0% |
| National Institute of Neurological Disorders and Stroke | 3.1% | 3.4% |
| National Library of Medicine | 3.9% | 4.4% |
| NIH Clinical Center | 10.7% | 8.0% |
| Office of the Director | 17.8% | 17.6% |

[†] Selection of the 10 largest departments/institutes at NIH.

| k Schedule | Population | Respondents |
|------------|------------|-------------|
| Full time | 95.8% | 97.1% |
| Part time | 3.5% | 2.6% |
| Other | 0.3% | 0.6% |

| Pay Grade | Population* (n = 16,754) | Respondents (n = 8,000) |
|--------------------|-----------------------------|----------------------------|
| GS 1-8 | 13.8% | 11.2% |
| GS 9-12 | 27.0% | 29.1% |
| GS 13-14 | 23.5% | 29.6% |
| GS 15 or SES | 6.6% | 10.0% |
| WG 1-9 | 1.9% | 0.8% |
| AD-Title 42 | 24.2% | 18.2% |
| Commissioned Corps | n/a** | 0.5% |
| Other | 2.9% | n/a** |

* Population information was obtained from NIH employee file, May 2006.

** Due to the way self-reported data was asked, pay grade categories differ slightly (i.e. survey did not ask "other").



Overall Employee Morale and Job Satisfaction



Job Satisfaction/Morale at NIH

- Overall, 78.6% of NIH employees agree that they are satisfied with their jobs. Conversely, 10.4% disagree.

| Your Job | 2006 Percentage | |
|---|-----------------|--------------|
| | Agree | Disagree |
| Considering everything, I am satisfied with my job. | 78.6% | 10.4% |
| I intend to be working for NIH next year. | 85.6% | 4.6% |
| I am making a positive contribution to NIH's mission. | 89.8% | 2.0% |
| I am proud to work for NIH. | 88.1% | 2.5% |
| I enjoy the work that I do. | 84.6% | 4.6% |
| I feel motivated to do the best that I can in my job. | 84.3% | 6.9% |
| My work gives me a sense of personal accomplishment. ❶ | 83.5% | 6.0% |
| I trust and respect my co-workers. | 82.8% | 5.2% |
| I have a good working relationship with my direct supervisor. ❷ | 82.5% | 7.1% |
| I am able to strike the right balance between work demands and my life outside of work. | 71.6% | 13.7% |
| I trust and respect NIH leadership. | 57.4% | 15.4% |
| NIH treats its employees fairly. ❸ | 54.7% | 17.9% |
| I am satisfied with my potential to grow my career at NIH. ❹ | 54.0% | 25.0% |
| NIH leadership communicates information in a timely fashion. | 52.4% | 19.9% |
| NIH leadership conveys consistent messages to all employees. | 45.4% | 24.5% |

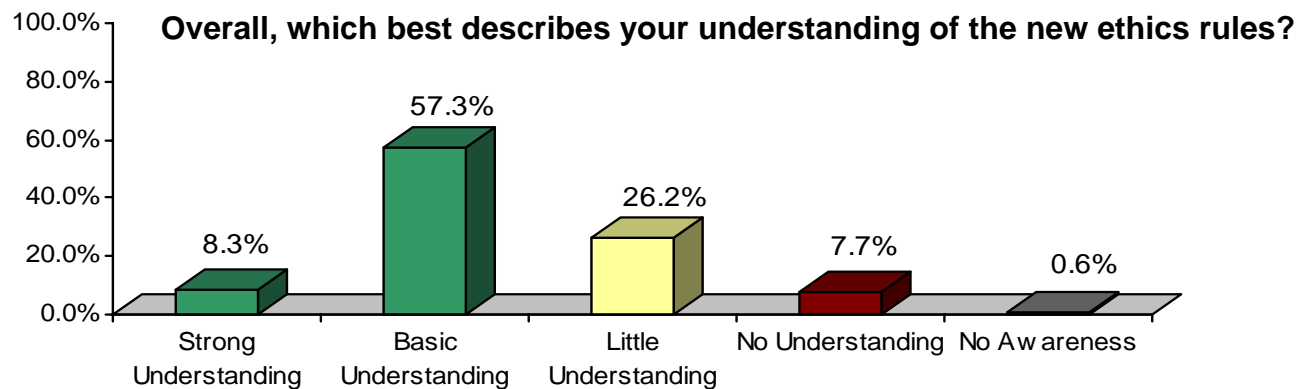
NOTE: The numbered questions indicate the attributes that most impact (drive) overall satisfaction.



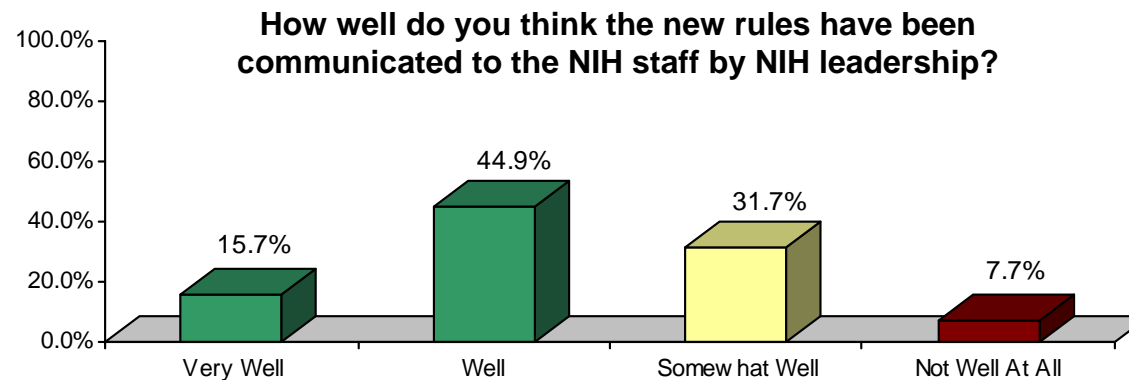
Understanding of New Ethics Rules and Effectiveness of Training

Understanding/Communication of New Ethics Rules

- Very few employees (8.3%) report having a very strong understanding of the rules and only about two thirds (65.5%) report having at least a basic understanding.

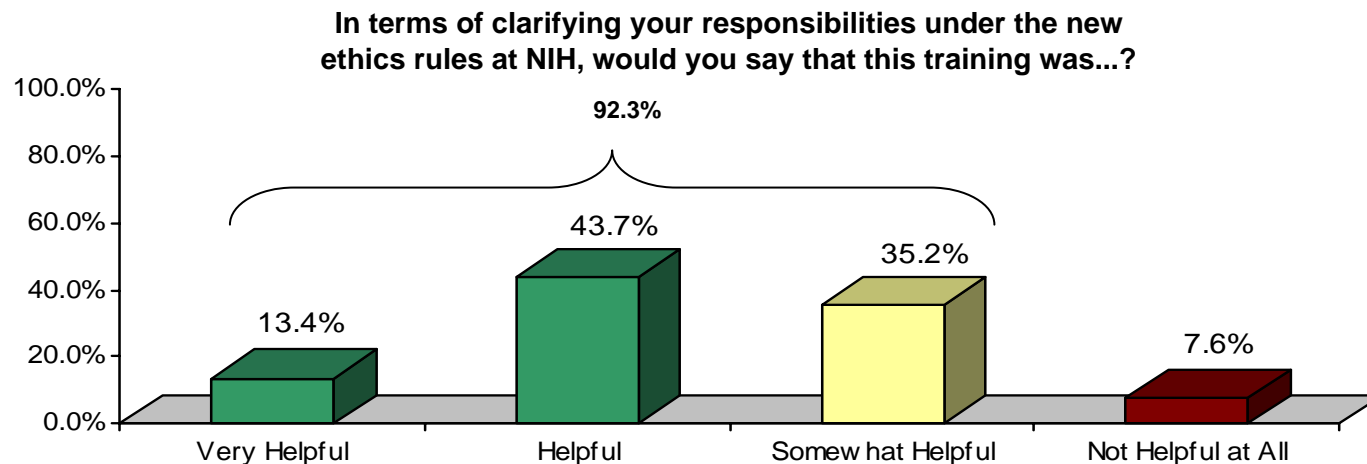


- More than half of employees (60.7%) believe the new rules were communicated very well (15.7%) or well (44.9%) to NIH staff by NIH leadership.



Ethics Training

- Nearly all employees report that they completed the Annual Ethics Training, and most of them (92.3%) found the training at least somewhat helpful.



- Individuals who found the Annual Ethics Training to be “very helpful” are more likely than others to have a “strong understanding” of the Ethics regulations.
- Additionally, individuals who found the Annual Ethics Training to be “very helpful” are more likely than others to think that NIH leadership has communicated the new rules “very well” (54.9% vs. 9.8%). Conversely, those who say the training was “not helpful at all” are more likely to say that NIH leadership did not communicate the rules well at all.



General Perceptions of New Ethics Rules



General Perceptions of the New Ethics Rules

- About two thirds (65.7%) of the employees who were employed by NIH before the new rules believe that there was a need for NIH to address the rules governing conflicts of interest.

Prior to any of the new rules being announced (i.e., before February 2005),
Did you believe there was a need for NIH to address...?

| | Yes | No |
|-------------------------|-------|-------|
| Ethics Rules in General | 65.7% | 34.3% |
| Outside Activities | 54.8% | 45.2% |
| Financial Holdings | 56.9% | 43.1% |
| Awards | 49.5% | 50.5% |

- Of those who feel there was need to address the issue, slightly more feel that NIH should have just enforced the rules better (43.6%) rather than strengthening the rules (41.2%).

Compared to Outside Organizations

- 45.6% feel NIH is more restrictive than outside organizations (e.g., commercial entities, health care organizations, academia). 31.6% report NIH's and other organizations' rules are about the same.



General Perceptions of the New Ethics Rules (cont.)

- 58.0% of employees feel the new rules are appropriate for NIH while 39.6% believe the rules are too restrictive.

| | Too restrictive | Appropriate | Not restrictive enough |
|-------------------------|-----------------|-------------|------------------------|
| Ethics Rules in General | 39.6% | 58.0% | 2.3% |
| Outside Activities | 37.0% | 60.8% | 2.2% |
| Financial Holdings | 31.0% | 65.6% | 3.4% |
| Awards | 31.0% | 66.4% | 2.5% |

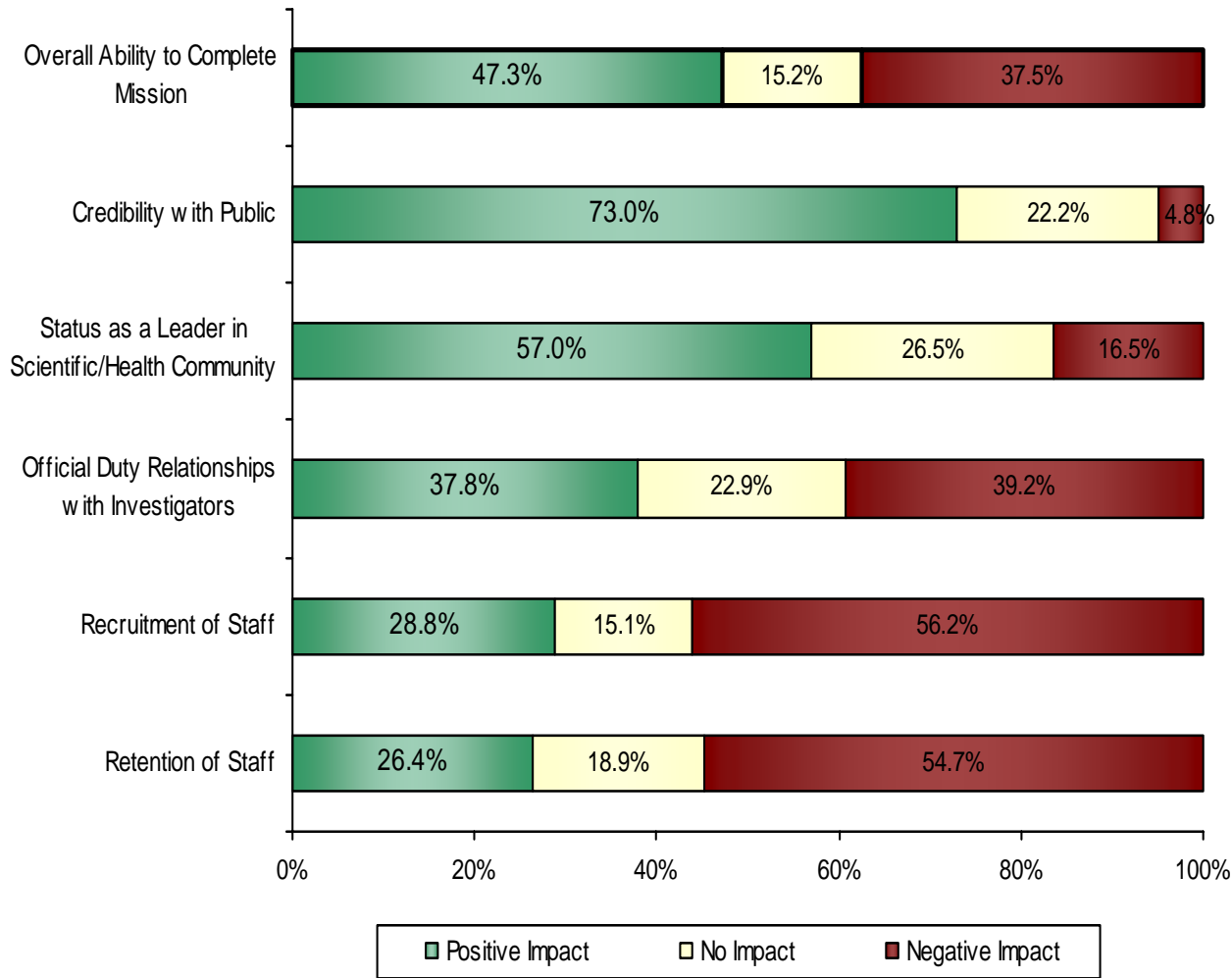
- Findings from multivariate analysis reveal that the regulations related to outside activities are far and away most important in the minds of employees.
 - Outside activity regulations most drive NIH employees' perceptions of whether there was a need to address conflicts of interest in the first place,
 - Outside activity regulations most drive NIH employees' perceptions as to whether the rules are appropriate, too restrictive, or not restrictive enough.



Impact of New Ethics Rules

Impact of the New Ethics Rules on NIH

How do you think the new rules will impact NIH's...?

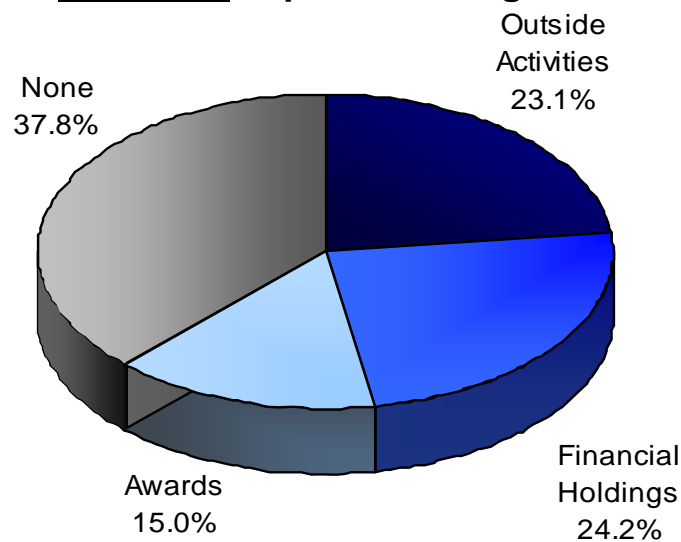




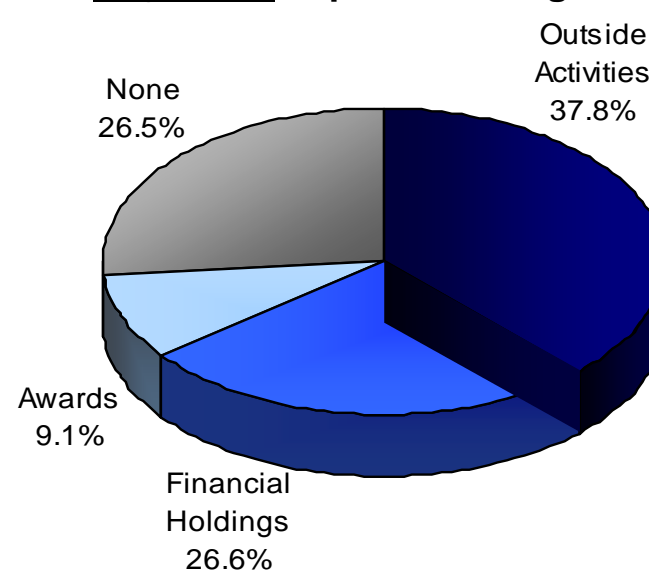
Impact of the New Ethics Rules on NIH (cont.)

- Restrictions on outside activities are most likely to negatively impact NIH long-term

Which of the three will most positively impact NIH long-term?



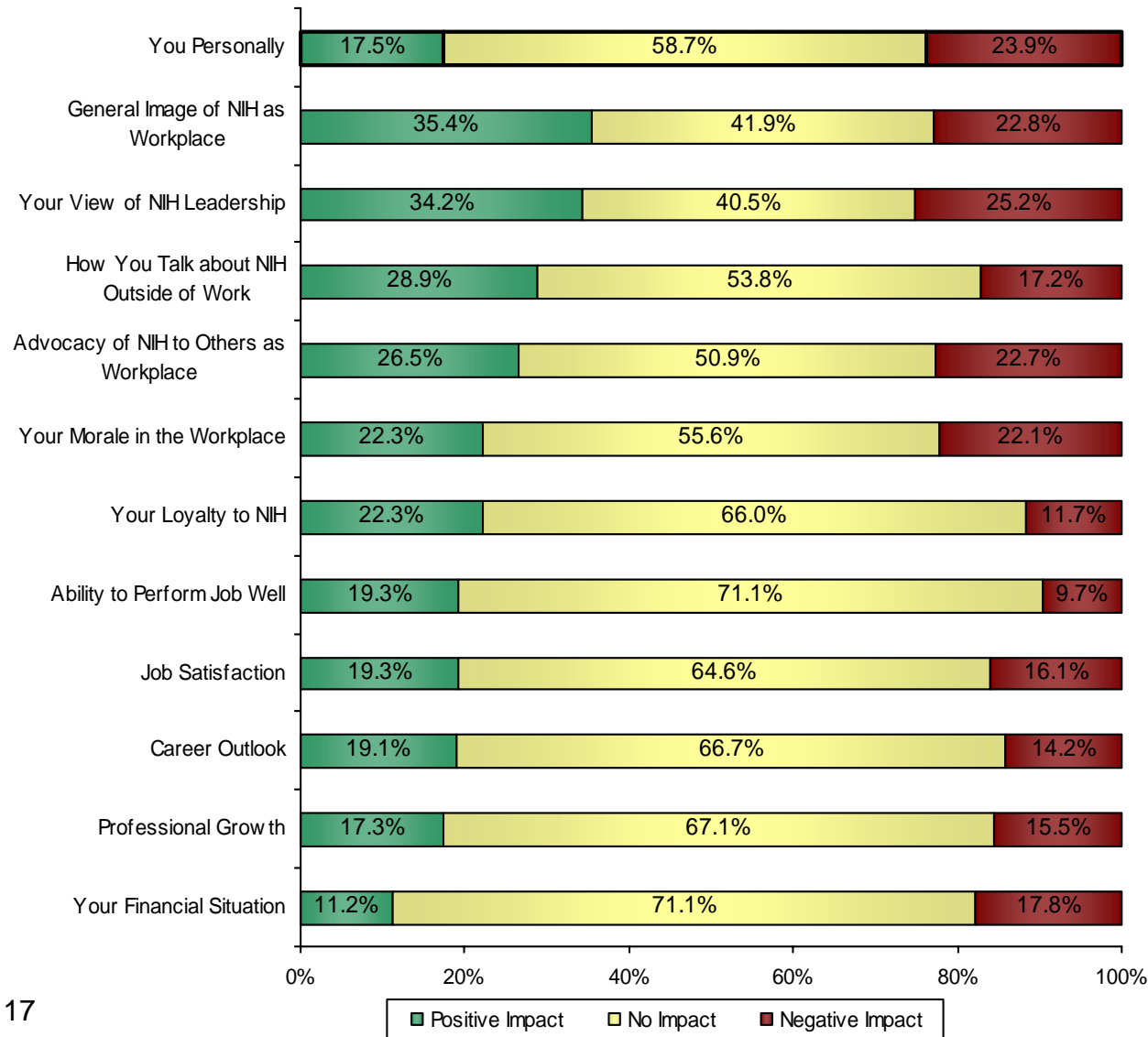
Which of the three will most negatively impact NIH long-term?





Personal Impact of the New Ethics Rules

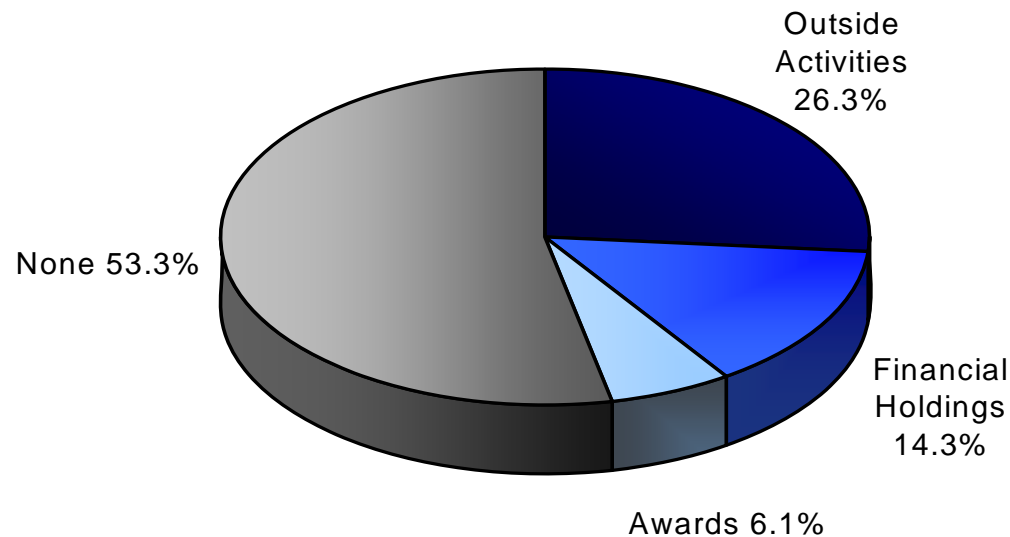
How do you think the new ethics rules will impact...?



Personal Impact of the New Ethics Rules (cont.)

- More than half of employees report that none of the restrictions will impact them personally.
- Of the three restrictions, restrictions on outside activities are most likely to negatively impact employees personally.

In your opinion, which of the three will most impact you personally?





Retention

- **Question 1: Most employees (87.6%) report they were not actively looking or had not considered looking for a position outside of NIH as a consequence of the new rules.**
- **Question 2: Most employees (92.3%) report that they plan to be working at NIH in 12 months.**
 - Those who answered “no” to this question were asked to choose why they planned to leave. Over one-quarter (29.5%) report that they plan to leave voluntarily for another job in the Federal Government.

| Reason for Leaving NIH | Percentage of Respondents |
|---|---------------------------|
| I plan to leave voluntarily for another job in the Federal Government. | 29.5% |
| I plan to leave voluntarily for a job in academia. | 13.0% |
| I plan to leave voluntarily for a job outside of academia and the Federal Government. | 11.2% |
| I plan to retire. | 23.7% |
| My term will end during the next 12 months. | 6.8% |
| I plan to leave for personal or family reasons. | 5.4% |
| Other | 10.4% |

Action Taken Because of the New Ethics Rules

■ Seeking Clarifications

- 32.4% of employees have sought clarifications regarding their own outside activities, financial holdings, or awards.
- Of these, 33.9% feel that the clarifications were easy or very easy to find, while 26.9% feel that they were not at all easy to find.

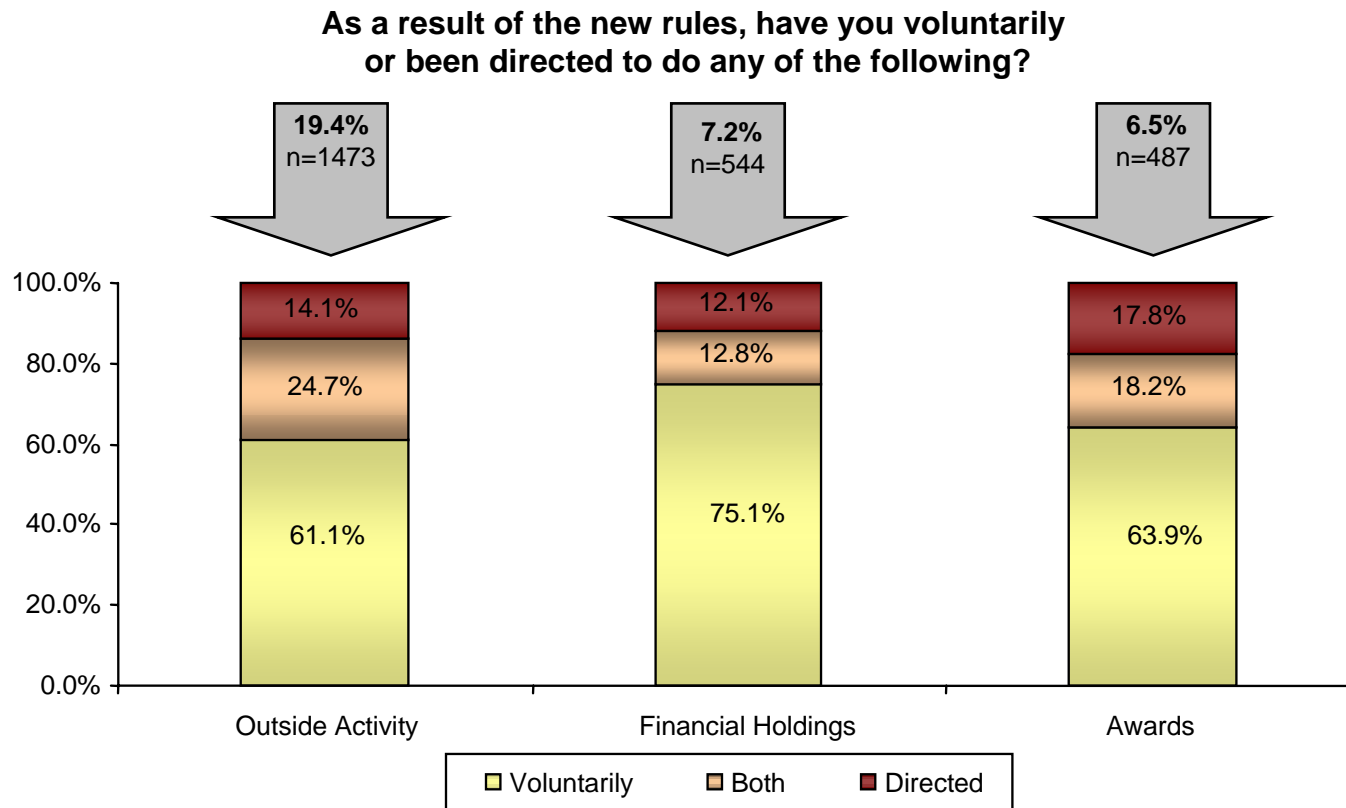
■ Completing Forms

- 34.7% of employees report submitting forms regarding their own outside activities, financial holdings, or awards.
- Of these employees, 26.9% say the forms were easy or very easy to complete, while 29.2% say the forms were not at all easy to complete.



Action Taken Because of the New Ethics Rules (cont.)

- About one-fifth (19.4%) report limiting their participation in an outside activity, 7.2% divested from a financial holding (including holdings for family members), and 6.5% declined a gift associated with an award.
- Regardless of the action taken, the majority of employees report that they had done so voluntarily.





Analysis of Responses of Scientists



Definitions

- Scientists — Those employees whose job falls into the following occupational series, which include intramural and extramural positions:
 - 100 series Social Science, Psychology & Welfare
 - 400 series Natural Resources Management & Biological Sciences
 - 600 series Medical, Hospital, Dental & Public Health
 - 700 series Veterinary Medical Officer
 - 1300 series Physical Sciences
 - 1500 series Mathematical Sciences

- Tenured — Scientists who have been granted tenure by the Deputy Director for Intramural Research (DDIR), after review and recommendation by the NIH Central Tenure Committee or the Senior Biomedical Research Service Policy Board.

- Tenure Track — Scientists who are selected by a competitive national search for a time-limited appointment.

Analysis of Specific Populations – Scientists Overview

- Scientists are more likely than non-scientists to report that:
 - The rules are too restrictive (56.9% of scientists vs. 27.1% of non-scientists).
 - The rules will negatively impact NIH's ability to complete its mission (52.8% vs. 26.3%)
 - The rules will negatively impact recruitment (74.9% vs. 42.3%).
 - The rules will negatively impact retention (72.0% vs. 41.9%).
 - The rules will negatively impact them personally (24.0% vs. 8.4%).
 - They are actively looking for or considered looking for a position outside of NIH (18.1% vs. 8.1%).

Analysis of Specific Populations – Scientists

- Overall Employee Morale and Job Satisfaction
 - Among all the respondents, there was strong job satisfaction. All scientists - 81.3%, tenured/tenure track scientists - 79.1% and all respondents - 78.6% agreed, “Considering everything, I am satisfied with my job.”
 - Most respondents intend to be working for NIH next year: All scientists - 87.8%, tenured/tenure track scientists - 86.1%, and all respondents - 85.6%.

Analysis of Specific Populations – Scientists

- Understanding of New Ethics Rules and Effectiveness of Training
 - There is a range of understanding of the new rules among the respondents with most tenured/tenure track scientists indicating they had a strong or basic understanding of the rules - 81.6%, as opposed to all scientists - 69.5%, and all respondents - 65.6%.
 - Most scientific and non-scientific respondents found that the recent ethics training helped clarify their responsibilities: All scientists - 90.3%, tenured/tenure track scientists - 86.8%, and all respondents - 92.3%.
 - More than half of all respondents thought the new rules had been communicated well to the NIH staff: All scientists - 59.0%, tenured/tenure track scientists - 59.1%, and all respondents - 60.6%.

Analysis of Specific Populations – Scientists

- General Perceptions of New Ethics Rules
 - Prior to the new rules being announced, more than half of the all respondents felt there was a need to address the rules: all scientists - 59.3%, tenured/tenure track scientists - 56.7%, and all respondents - 65.7%.
 - When asked about the changes to the ethics rules, scientists were more likely to feel that the old rules could have been enforced better: all scientists - 58.8%, tenured/tenure track scientists - 71.5%, and all respondents - 45.9%.
 - Conversely, fewer scientists felt instead that the old rules should have been strengthened: all scientists - 21.6%, tenured/tenure track scientists - 15.5%, and all respondents - 29.1%.
 - When asked about their opinion of the new rules, scientists found them more restrictive than did respondents as a whole: all scientists - 56.9%, tenured/tenure track scientists - 80.2%, and all respondents - 39.6%.

Analysis of Specific Populations – Scientists

■ Impact of New Ethics Rules

- Scientists were less likely to feel that the new rules would impact NIH's ability to complete its mission: all scientists - 33.2%, tenured/tenure track scientists - 12.1%, and all respondents - 47.3%.
- Scientists were less likely to feel that the new rules would have a positive impact on NIH's credibility with the public: all scientists - 67.0%, tenured/tenure track scientists - 52.5%, and all respondents - 73.0%.
- More than half of the scientists who responded said they are not actively looking for, nor considered looking for, a job outside the NIH as a consequence of the new rules: all scientists - 81.9%, tenured/tenure track scientists - 61.1%, and all respondents - 87.6%.

Analysis of Specific Populations – Scientists

- Impact of New Ethics Rules: Perceptions of Impact on Recruitment and Retention
 - Scientists were much more likely to feel that the new rules will have a negative impact on NIH's ability to recruit the best staff: all scientists - 74.9%, tenured/tenure track scientists - 90.9%, and all respondents - 56.2%.
 - Scientists were much more likely to feel that the new rules will have a negative impact on NIH's ability to retain existing staff: all scientists - 72.0%, tenured/tenure track scientists - 88.2%, and all respondents - 54.7%.

Follow-up Actions from NIH

- Plan to proceed with next two stages of the evaluation process
 - Survey former NIH employees to determine if new rules influenced their decision to leave
 - Survey potential employees to determine if the new rules influence their decision to work at NIH in the future

- Make forms more accessible and easier to use

- Strengthen NIH Ethics Training Program