



In 2010 the AAPOR Cell Phone Task Force released the report on New Considerations for Survey Researchers When Planning and Conducting RDD Telephone Surveys in the U.S. With Respondents Reached via Cell Phone Numbers.

Overall, the considerations in this document are still accurate however sections relating to human intervention and automatic dialing should be reviewed. Because of the FCC's 2015 Declaratory Ruling, the TCPA Task-Force has identified the following sections of the 2010 report that should be carefully reviewed.

<http://www.aapor.org/Education-Resources/Reports/Cell-Phone-Task-Force-Report/Legal-and-Ethical-Issues.aspx>

The Need for Manual Dialing. To ensure compliance with this federal law, in the absence of express prior consent from a sampled cell phone respondent, telephone research call centers should have their interviewers manually dial cell phone numbers (i.e., where a human being physically touches the numerals on the telephone to dial the number). Of note, there is no “good faith exception” for inadvertent or accidental calls to cell phones, so not knowing that a cell phone number is being dialed (as happens in RDD landline samples that unknowingly reach cell phones) is not an acceptable excuse for violating the U.S. federal regulations. However, this does not include circumstances where a landline number has been forwarded to a cell phone; thus reaching a cell phone as a result of using an autodialer to call the sampled landline number does not violate U.S. federal law.

At the present time, the Marketing Research Association (MRA) is working for the benefit of the research community to amend the TCPA to exempt research calls.³ However, in the meantime, research call centers should only use manual dialing to reach cell phone numbers unless expressed prior consent has been received from the respondent that it is permissible to call her/him on her/his cell phone. This consent would occur, for example, if a respondent is first contacted on a cell phone that was hand-dialed by an interviewer, and agrees to the scheduling of a callback to that number. If this were to happen, then the research center could use its autodialer to place future calls to this cell phone number.

<http://www.aapor.org/Education-Resources/Reports/Cell-Phone-Task-Force-Report/Operational-Issues.aspx>

Interviewer Assignment to Cell Phone Samples

As noted previously, it can be very frustrating and debilitating for interviewers in the U.S. to work a cell phone sample. Not only are they required to hand-dial the numbers – at a minimum on the first time the number is called⁶ – but they often have to engage a respondent who is less than willing to talk with them

6 Once a respondent is reached on a cell phone, the respondent may give explicit or implicit permission to be called back on the cell phone. If that happens, then the requirement that the callback to the cell phone number be hand dialed no longer holds in the U.S. However, call centers may not have the technology required to differentiate which cell phone numbers must be hand dialed and which can be dialed with an autodialer. As such, many call centers may simply have interviewers hand dial all cell phone numbers regardless of the results of any previous contact with the cell phone respondent.

<http://www.aapor.org/Education-Resources/Reports/Cell-Phone-Task-Force-Report/Costs.aspx>

Dialing Method. The method of dialing that if used affects productivity. The required manual dialing of cell phones in the U.S. slows down the interviewing process and contributes to the size of the productivity differential. However, the degree of impact this has will depend on the dialing method used on the landline RDD side. Some telephone survey call centers (especially academic survey organizations) use autodialers to call numbers one by one while interviewers listen to the calls ringing. This process is faster than manual dialing, but certainly slower than a predictive dialer for RDD landline sample that "finds" a potential respondent on the line and serves the connection up to the next "available" interviewer. The average dialing times for cell phones also will differ if interviewers are instructed to let them ring longer (e.g., at least eight rings) before coding a RNA compared to landline dialing (e.g., at least six rings), or if cell phone dialing requires the interviewer to more often spend time leaving messages on the respondent's voice mail.

<http://www.aapor.org//Education-Resources/Reports/Cell-Phone-Task-Force-Report/Conclusions.aspx>

In terms of Legal and Ethical Issues, the Task Force affirms that U.S. cell phone numbers should be manually dialed unless a survey organization has gained expressed prior consent from the cell phone owner. The Task Force also encourages researchers to carefully consider various ethical implications related to respondent safety and privacy, the number and frequency of callbacks, and remuneration that may be offered to cell phone respondents.