

Justification
Employer Service and Compensation Reports
RRB Forms UI-41 and UI-41a

1. Circumstances of information collection - Section 2(c) of the Railroad Unemployment Insurance Act (RUIA), (1) specifies the maximum normal unemployment and sickness benefits that may be paid in a benefit year; (2) provides for an extended benefit year for certain employees and; (3) allows for other employees to begin a benefit year early. The conditions for these actions are prescribed in 20 CFR 302.
2. Purposes of collecting/consequences of not collecting the information All information about creditable railroad service and compensation needed by the RRB to administer section 2(c) is not always available from annual reports filed by railroad employers with the RRB (OMB No. 3220-0008). When this occurs, the RRB uses the following forms to obtain from railroad employers supplemental information about service and compensation.

Form UI-41, Supplemental Report of Service or Compensation, is used to obtain information from railroad employers about service, compensation, and/or daily rates of pay occurring subsequent to information reported to the RRB on an annual report and which have been claimed by applicants for unemployment or sickness benefits on Form UI-23, Claimant's Statement of Service for Railroad Unemployment Insurance Benefits, (OMB No. 3220-0025), by letter, or in person.

The form is computer generated with the employee identifying information on the top portion of the form pre-filled by the RRB before release. In addition, the RRB checks the appropriate box(es) to indicate the type of compensation and/or service information required from the employer. The RRB also enters the months which the employee claims to have worked in a base year, as well as, the appropriate monthly amount for each year over which the employer should not report. Completion of Form UI-41 is self-explanatory. The completed form is then returned to the RRB by mail.

The RRB proposes the following change to Form UI-41:

- Revise the penalty statement from "Failure to complete this report can result in a fine or imprisonment or both" to "Failure to report or the making of a false or fraudulent report can result in criminal prosecution or civil penalties, or both";
- move the Paperwork Reduction Act from the bottom of the form to below the penalty statement;

- the addition of a certification statement above the signature;
- Other cosmetic and editorial changes.

Form UI-41a, Supplemental Report of Compensation, is used to obtain compensation information supplementary to that already on record. In most cases, the information reported by railroad employers through the annual reporting process (OMB No. 3220-0008) is sufficient for determining eligibility for and amounts of unemployment and sickness benefits payable. For about 2,000 claimants annually, however, it is necessary to obtain information on compensation over the maximum monthly creditable amount (\$1,150 in 2005, \$1,195 in 2006 and \$1,230 in 2007). In such cases, information is needed on monthly compensation at the base prescribed in section 2(c) of the RUIA (\$1,485 in 2005, \$1,544 in 2006, and \$1,589 in 2007). Form UI-41a secures this information.

The form is computer generated with the employee identifying information on the top and bottom portions of the form, and the year for which the compensation information is needed pre-coded. The person completing Form UI-41a for the railroad employer enters by month the employee's total base year compensation up to a maximum amount per month, his or her signature, title, and the date of completion.

The RRB proposes the following changes to Form UI-41a:

- Move the return address the bottom part of the form and include with the other instructions in the introductory paragraph;
- revise the penalty statement to reflect that not completing the form could result in criminal prosecution or civil penalties, or both;
- updating of the Paperwork Reduction Act language;
- the addition of a certification statement above the signature;
- Other minor cosmetic and editorial changes.

To our knowledge, no other agency uses forms similar to UI-41 or UI-41a.

3. Planned use of improved information technology or technical/legal impediments to further burden reductions – The RRB plans to combine/automate the UI-41 and UI-41a process with other Employer Reporting collections/initiatives (at a point yet undetermined) during the 3 year renewal of this information collection. The RRB will submit a request for a revised information collection at the appropriate time.
4. Efforts to identify duplication - This information collection does not duplicate any other information collection.

5. Small business respondents - N.A.
6. Consequences of less frequent collections - N.A.
7. Special circumstances - None
8. Consultations outside the agency - In accordance with 5 CFR 1320.8(d), comments were invited from the public regarding the information collection. The notice to the public was published on page 12639 of the March 16, 2007, Federal Register. No comments or requests for additional information were received.
9. Confidentiality - Privacy Act System of Records - RRB 21, Railroad Unemployment and Sickness Insurance Benefit System - RRB
10. Sensitive questions - None
11. Estimate of cost to the Federal government - N.A.
12. Estimate of respondent burden - - The estimated annual burden for this collection is unchanged as follows.

Current Burden

Form #	Responses	Time (Min)	Burden (Hrs)
UI-41	1,000	8	133
UI-41a	2,000	8	267
Total	3,000		400

13. Estimated annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal government - N.A.
15. Explanation for changes in burden - N.A.
16. Time schedule for data collection - The results of this collection will not be published.

17. Request not to display OMB expiration date - The forms associated with this collection are seldom revised. Given the costs associated with redrafting, reprinting, and distributing the forms in order to keep the appropriate expiration date in place, the RRB requests the authority to not display the OMB expiration date on the forms.
18. Exceptions to Certification Statement - None

Enclosed are copies of Forms UI-41 (10-00), Form UI-41 (proposed), UI-41a (10-01), UI-41a (proposed), UI-23 (11-00), and pertinent sections of the Railroad Unemployment Insurance Act and the Code of Federal Regulations.