

Supporting Statement for the Clearance of BLS-790 Forms, the Collection Document of the BLS Current Employment Statistics Program

BACKGROUND

The Current Employment Statistics program provides current monthly statistics on employment, hours, and earnings, by industry and geography. CES estimates are among the most visible and widely-used Principal Federal Economic Indicators (PFEIs). CES data are also among the timeliest of the PFEIs, with their release each month by BLS in the *Employment Situation*, typically on the first Friday of each month. The statistics are fundamental inputs in economic decision processes at all levels of government, private enterprise, and organized labor.

The Current Employment Statistics monthly estimates of employment, hours, and earnings are based on a sample of U.S. nonagricultural establishments. Information is derived from a approximately 265,000 reports (representing about 155,000 UI accounts and 400,000 individual worksites), as of December 2004. Each month, firms report their employment, payroll, and hours on forms identified as BLS-790. The sample is collected under a probability based design.

A list of all form types currently used is attached. Respondents receive variations of the basic collection forms, depending on their industry. BLS is requesting approval through February 29, 2008. Letters and other materials sent to establishments are also included.

The CES program is a voluntary program under Federal statute. Reporting to the State agencies is voluntary in all but five States (California, Oregon, Washington, North Carolina, South Carolina) and Puerto Rico and the Virgin Islands, to our knowledge, the States that do have mandatory reporting rarely exercise their authority. The collection form's confidentiality statement cites the Confidential Information Protection and Statistical Efficiency Act of 2002 and mentions the State mandatory reporting authority.

Automated data collection methods are now used for most of the CES sample. Approximately 86,000 reports are received through Electronic Data Interchange and 76,000 reports are collected using Touchtone Data Entry, as of September 2004. Computer Assisted Telephone Interviewing is the third largest mode, accounting for 54,000 reports. In comparison, only 8,400 reports are collected by mail. Fax is also a significant collection mode, as 36,000 reports are collected via this method. The balance of the sample is collected through other automated methods including web and submission of tapes and diskettes.

Research and limited scope implementation using the World Wide Web for data collection is continuing. BLS is continuing to evaluate web based data collection and investigating approaches for optimizing response rates. BLS is also testing the feasibility

of fax/OCR collection for the CES. OCR technology has improved to the point where respondents can fax their data to BLS and the incoming fax can be automatically processed into a data set.

New Data Item: In the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2006, signed into law on December 30, 2005, Congress required the CES program to collect data on women workers. Data collection will begin starting with the July 2006 reference month.

A. JUSTIFICATION

1. Necessity of Collection

The Bureau of Labor Statistics has been charged by Congress (29 USC 2) with the responsibility of collecting and publishing monthly information on employment, the average wage received, and the hours worked, by area and by industry. Attachment 1 is a copy of this statute. The data necessary to produce these estimates are voluntarily reported. BLS receives approximately 283,000 reports each month from nonagricultural establishment worksites (including government) in the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

2. Use and Users of Data

The estimates produced from the data collected on the BLS-790 forms are fundamental inputs in economic decision processes at all levels of private enterprise, government, and organized labor. The estimates are vital to the calculation of the National Income Accounts, the Federal Reserve Board's Index of Industrial Production and the Composite Index of Leading and Coincident Economic Indicators among others. The earnings data provide a proxy measure of the cost of labor at a level of industry detail not available from the Bureau's Employment Cost Index program. The early availability of employment and hours data provides one of the primary indicators for the current status of the U.S. economy.

3. Use of Technology in Reducing Burden

The CES program relies extensively on information technology for data collection. Seventy-six percent of the sample is collected by Touchtone Data Entry (TDE) and Computer Assisted Telephone Interviewing (CATI), and Electronic Data Interchange (EDI). EDI is used for many very large multi-unit reporters. As of September 2004, 93 large firms, representing 5.3 million employees and 86,600 establishments, report via EDI, significantly reducing respondent burden for these firms. Research on the use of the World Wide Web (WWW) for data collection, which began in 1996, is continuing. Currently, over 5,000 firms provide data via the Internet.

BLS has developed special forms (BLS-790 F series) to facilitate reporting of data by facsimile transmission ("fax"). These forms somewhat lessen reporting burden on large multi-unit reporters by allowing them to report information for several of their establishments on one form each month. These forms allow firms that report for establishments in different industries to consolidate all reporting on a single form. Three versions have been developed. The first version covers all private sector businesses, except education. The second covers to education and government establishments, and the third is used for private education establishments. The form used for fax/OCR collection collects the same data items as the F series, but uses special fonts and other characters to facilitate automated processing.

4. Identification of Duplication

There are no comparable Federal surveys. The cooperative Federal-State collection program eliminates duplication of requests made of the respondent at the Federal, State, and local levels. The CES program is the only program that provides current monthly data on payroll employment, hours, and earnings, by industry and area. Preliminary national data are released within 3 weeks of the end of the survey week.

5. Small Businesses

The probability-based design calls for inclusion of all U.I. accounts with more than 1000 employees with certainty. For other size classes, the sample is stratified by size decreasing probability of selection for smaller size firms. BLS has also implemented sample rotation of non-certainty units to further reduce burden. Most non-certainty firms will report for 3 to 5 years, then will be rotated out of the sample for at least 2 years. For very large firms, electronic reporting via EDI allows the firm to transmit a sample file containing all of their reports to a central location. This lessens their burden substantially.

6. Less Frequent Conduct of Study

The Congress (29 USC 2) mandated that the data be collected monthly for the purpose of deriving fundamental inputs into economic decision processes at all levels of government, private enterprise, and organized labor.

7. Special Circumstances

This request does not have any special circumstances that would cause information collection to be conducted in a manner:

- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secret or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are special circumstances that require respondents to report information to the agency more often than quarterly; and require respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it. Congress has mandated monthly collection (29 USC 2). Survey respondents are requested to provide payroll information for the pay period including the 12th of the month as soon as the data are available. This allows for timely publication of preliminary estimates within 3 weeks of the reference period. Research has shown that the vast majority of sample units have the requisite data available in their regular payroll summaries at the time BLS is requesting this information.

8. Federal Register Notice and Comments and Outside Consultations

The BLS consulted with the State Policy Council, the State Employment Security Agencies, the Business Research Advisory Council, the Labor Research Advisory Council and the Bureau of Economic Analysis regarding the new data items and dropping collection of Women Workers. These groups were all supportive of these changes.

In the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2006, signed into law on December 30, 2005, Congress required the CES program to again collect data on women workers. Hence the Bureau is reinstating collection of the Woman Worker data item and requesting OMB approval to add this data item.

OMB has waived the 60-day Federal Register Notice for this particular clearance. A 60-day notice was published for the previous submission on December 22, 2004 (Volume 69, Number 245). Comments received in response to this notice are summarized in the clearance package for the previous submission.

9. Payment of Gifts to Respondents

There are no payments or gifts to respondents.

10. Confidentiality

The Commissioners' Order No. 3-04, "Confidential Nature of BLS Records," explains the Bureau's policy on confidentiality: "In conformance with existing law and Departmental regulations, it is the policy of the Bureau of Labor Statistics that data collected or maintained by, or under the auspices of, the Bureau under a pledge of confidentiality shall be treated in a manner that will assure that individually identifiable data will be accessible only to authorized persons and will be used only for statistical purposes or for other purposes made known in advance to the respondent."

Authorized persons are:

1. Sworn BLS employees.
2. State Employment Security Agency employees.

3. Contractors who have signed the appropriate confidentiality agreement with the Bureau.

Data on employment, payrolls, and hours submitted on the BLS-790 forms by respondents must be retained by the State Employment Security Agencies and the BLS for an indefinite period, in order to retabulate historical data when expanding published industry detail and to provide a basis for recalculating series if they are later found to be in error. Data over 16 months old are archived onto computer tape.

The collection forms state that “The Bureau of Labor Statistics, its employees, agents, and partner statistical agencies, will use the information you provide for statistical purposes only and will hold the information in confidence to the full extent permitted by law. In accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (Title 5 of Public Law 107-347) and other applicable Federal laws, your responses will not be disclosed in identifiable form without your informed consent.”

The Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) safeguards the confidentiality of individually identifiable information acquired under a pledge of confidentiality by controlling access to, and uses made of, such information. CIPSEA includes fines and penalties for any knowing and willful disclosure of individually identifiable information by an officer, employee, or agent of the BLS.

11. Sensitive questions

There are no sensitive questions asked on this survey.

12. Estimate of Respondent Reporting Burden

The following table shows reporting burden by form type:

Form	Reports	Minutes per Report	Frequency of Response	Annual Responses	Annual Burden Hours
A--Natural Resources and Mining	1,400	11	12	16,800	3080
B--Construction	12,800	11	12	153,600	28,160
C--Manufacturing	18,000	11	12	216,000	39,600
E--Service Providing Industries	153,300	11	12	1,839,600	337,260
G--Public Administration	56,700	6	12	680,400	68,040
S--Education	4,000	6	12	48,000	4,800
F1, F2, F3 Fax Forms	36,400	11	12	436,800	80,080
Total	282,600			3,391,200	561,020

Estimate of the CES program's cost to respondents:

Annual Burden hours	561,020
Median hourly earnings of "Human Resources Assistants, Except Payroll and Timekeeping" from the CPS survey, 2003 annual average	\$12.96
Estimated total cost to respondents	\$7,270,819
Number of establishments	282,600
Average annual cost per establishment	\$25.73

13. Annual Burden Costs to Respondent as a Result of the Collection of Information

There is no operational or maintenance cost burden to the respondent because the information collection seeks information that is part of customary and usual business practices and does not require purchase of equipment or services to meet the information collection request.

14. Estimate of the CES program's FY 2004 cost to the Federal Government

Personal Services (labor)	\$12,900,100
Non personal Services (ADP, travel, equipment, rent, etc.)	\$16,939,500
State Contracts (for collection, editing, processing, etc.)	\$25,274,700
TOTAL	\$55,114,300

15. Changes in Burden

The burden currently requested is 561,020 hours. This request is an increase from the previous burden request of 504,500. This change is due to the reintroduction of Women Workers required by Congress in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2006.

16. Publication Plans

The data are initially released in the "Employment Situation" press release, on the first Friday following the reference period. The release contains employment, hours, and earnings data by major industry division.

Detailed tabulation and presentation of national estimates of employment, hours, and earnings are found in the B and C tables of Employment and Earnings, BLS's monthly publication.

The CES program produces 5,268 series at the national level and 19,493 series at the State and area levels. Data are published monthly by BLS in Employment and Earnings. Series are also published by BLS and the cooperating State agencies in press releases and pamphlets. In addition, all published data series are available through the BLS World Wide Web site.

17. Displaying the OMB Expiration Date

BLS is requesting continuation of the approval to not display the expiration date on the form. BLS and States are continually soliciting new respondents for the CES and their ability to use the approved form would be constrained as the expiration date approaches.

18. Exception to Certification

There are no exceptions to item 19 of the “Certification for Paperwork Reduction Act Submissions”.