

Justification
Certification of Termination of Service and Relinquishment of Rights
 RRB Form G-88

1. Circumstances of information collection - Under Section 2(e)(2) of the Railroad Retirement Act (RRA), an age and service annuity, spouse annuity, or divorced spouse annuity cannot be paid unless the Railroad Retirement Board (RRB) has evidence that the applicant has ceased railroad employment and relinquished rights to return to the service of a railroad employer.

Under Section 2(f)(6) of the RRA, earnings deductions are required for each month an annuitant works in certain nonrailroad employment termed Last Pre-Retirement Nonrailroad Employment (LPE). The procedures pertaining to the relinquishment of rights by an annuity applicant is prescribed in 20 CFR 216.24

2. Purposes of collecting/consequences of not collecting the information - Normally, the employee, spouse, or divorced spouse relinquish rights and certify that employment has ended as part of the annuity application process. (see Form AA-1, *Application for Employee Annuity*, OMB No. 3220-0002, and Form AA-3, *Application for Spouse/Divorced Spouse Annuity*, OMB No. 3220-0042).

However, this is not always appropriate. The RRB uses **Form G-88, Certification of Termination of Service and Relinquishment of Rights**, to obtain an applicant's report of termination of employment and relinquishment of rights under the following circumstances:

- An applicant for an employee (age and service) annuity has not terminated railroad service (still working), or such applicant's date of entitlement will be more than 15 days in the future.
- An applicant for a spouse annuity or divorced spouse annuity has not terminated railroad service (still working).
- An applicant for an employee age and service annuity wants to defer up to 12 months relinquishing his or her rights to return to railroad service.
- An applicant for an employee annuity has asserted a claim before the National Railroad Adjustment Board for reinstatement with pay for time lost.
- An employee disability annuitant is requesting reinstatement of an annuity that was suspended because of excess earnings.
- An employee, spouse, or divorced spouse annuitant is requesting either a reinstatement of an annuity that was suspended because of return to railroad

service or an increase in an annuity that was reduced for LPE earnings.

Completion of Form G-88 is self-explanatory. In the majority of cases, the form is mailed to the annuitant by the RRB field office, along with a transmittal letter and a self-return envelope.

To our knowledge, no other agency uses a similar or comparable form.

The RRB proposes minor non-burden impacting reformatting and numbering changes to Form G-88 which include numbering the Remarks section as Item 7; reformatting and numbering the Certification section as Item 8; and numbering the Witness' signature section as Item 9 (includes reformatting and rewording to make consistent with other RRB forms). We also are proposing the following non-burden impacting editorial changes:

- Revision of informational section "How Certain Nonrailroad Work Affects Your Annuity" on page 1.
- Revision to instruction language in Section B, Employment Outside the Railroad Industry, on page 2.
- Reworded Item 8, Certification, to make more consistent with other RRB forms' Certification language.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – None planned at this time. Not practicable to automate because form is issued by RRB with pre-filled data and volume is low.
4. Efforts to identify duplication - This information collection does not duplicate any other RRB information collection.
5. Small business respondents - N.A.
6. Consequences of less frequent collections - N.A.
7. Special Circumstances - N.A.
8. Public comments/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 10074 of the February 25, 2008, Federal Register. No comments or requests for additional information were received from the public.

9. Payments or Gifts to Respondents - N.A.
10. Confidentiality - Privacy Act System of Records, RRB-22, Railroad Retirement, Survivor, and Pensioner Benefit System.

11. Sensitive questions - N.A.

12. Estimate of respondent burden

The current estimated annual burden for this collection is unchanged as follows:

Current Burden

Form #	Annual Responses	Time (Min)	Burden (Hrs)
G-88	3,600	6	360
Total	3,600		360

13. Estimate of annual cost to respondents or record keepers - N.A.

14. Estimated cost to the Federal Government - N.A.

15. Explanation for changes in burden - N.A.

16. Time schedule for data collection and publication - The results of this collection will not be published.

17. Request not to display OMB expiration date - The G-88 is seldom revised. Given the costs associated with redrafting, reprinting and distributing the form in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the expiration date on the form.

18. Exceptions to Certification Statement - None