

**SUPPORTING STATEMENT FOR FORM SSA-3033
WORK ACTIVITY QUESTIONNAIRE**

20 CFR 404.1574(a)(1)-(3)

OMB No. 0960-0483

A. Justification

1. Social Security disability claimants qualify for benefits when a verified physical or mental impairment prevents them from working. When a disability claimant returns to work after the onset of the disability, SSA must evaluate the work effort to determine if the disability claimant still qualifies for benefits (Sections 221, 223(d)(4), 1612(b)(4)(B), and 1614(a)(3) (D) of the *Social Security Act*; Section 20 CFR 404.1574(a)(1)-(3) of the *Code of Federal Regulations*).

If disability claimants attempt to return to work after receiving disability benefits but are unable to continue working, they submit form SSA-3033, the Employee Work Activity Questionnaire, so SSA can evaluate the work attempt. SSA also uses this form to evaluate unsuccessful subsidy work. The respondents are employers of Social Security disability beneficiaries who unsuccessfully attempted to return to work.

2. SSA uses the information from form SSA-3033 to evaluate a disability claimant's unsuccessful work attempt, including subsidy work attempts. Ultimately, the Agency will use the information to determine the beneficiary's continuing eligibility for disability benefits.
3. SSA did not develop an electronic version of this form under the Agency's Government Paperwork Elimination Act Plan due to its relatively low number of respondents.
4. The nature of the information being collected and the manner in which it is collected preclude duplication. SSA does not use any other collection instrument to gather the data collected here.
5. This collection does not significantly impact small businesses or other small entities.
6. If SSA did not conduct this information collection, it would have no means of evaluating abortive work attempts for disability beneficiaries, which could result in the beneficiary losing benefits. Since we only collect the information when an abortive work attempt occurs, we cannot collect it less frequently.

There are no technical or legal obstacles to burden reduction.

7. There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with 5 CFR 1320.5.
8. SSA published the Advance 60-day Federal Register Notice on March 28, 2008, at 73 FR 16734, and we did not receive any public comments. We published the 30-day Federal Register Notice on May 28, 2008, at 73 FR 30656. If we receive any comments in response to the 30-day Notice, we will forward them to OMB.

In the past, we did not consult with outside members of the public in the development or maintenance of this form. However, we are currently in discussions with payroll associations and employers about how to most efficiently collect this data.

9. SSA provides no payment or gifts to the respondents.
10. We protect and hold confidential the information we request in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974), and OMB Circular No. A-130.
11. The information collection does not contain any questions of a sensitive nature.
12. Approximately 15,000 private-sector businesses take 15 minutes each to complete form SSA-3033 annually. The total burden of 3,750 hours is reflected as burden hours, and we did not calculate a separate burden cost.
13. There is no known cost to the respondents.
14. The annual cost to the Federal Government for this collection is approximately \$46,200. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes to the public reporting burden.
16. SSA will not publish the results of the information collection.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.
18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.