

Justification  
**Employee Representatives' Status and Compensation Reports**  
 RRB Forms DC-2a and DC-2

- I. Circumstances of information collection - Under section 1(b)(1) of the Railroad Retirement Act (RRA) the term "employee" includes an individual who is an employee representative. As defined in Section I(c) of the RRA, an employee representative is
- an officer or official representative of a railway labor organization other than a labor organization included in the term "employer," as defined in the RRA, who before or after August 29, 1935, was in the service of an employer under the RRA and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, or
  - any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his or her office.

The information collection requirements relating to the application for employee representative status and the periodic reporting of the compensation resulting from such status is contained in 20 CFR 209.11.

2. Purposes of collecting/consequences of not collecting the information - Forms DC-2a and DC-2 obtain the information needed by the Railroad Retirement Board (RRB) to determine employee representative status and to maintain a record of creditable service and compensation resulting from such status. Details about each of the forms follow:

RRB Form DC-2a, Employee Representative's Status Report, serves as an application for employee representative status under the RRA, and is furnished on request. The information requested on the form is used to determine if the applicant meets the requirements for an employee representative as set forth in Section I(c) of the RRA. The form is self-administered, is furnished on request. Instructions for completing and filing the form are provided on the reverse side. The completed DC-2a is mailed directly to the RRB's Compensation and Employers Services Center in the Office of Programs. Generally, only one DC-2a is submitted by an individual. However, if there is a long break in service, or if the group represented or the labor organization served changes, a new DC-2a is requested.

**The RRB proposes no changes to Form DC-2a.**

RRB Form DC-2, Employee Representative's Report of Compensation, is used by the RRB to obtain from an employee representative the annual creditable

service and compensation resulting from the individual's employee representative activities. The service and compensation is the same as that obtained for an employee who worked for a covered employer, and as reported on Form BA-3a, *Annual Report of Creditable Compensation, OMB No. 3220-0008*. The information is used to update the record of service and compensation maintained by the RRB for the employee representative, for the purpose of paying benefits to that individual due under law. Form BA-3a also makes provision for reporting Railroad Unemployment Insurance Act Creditable Compensation, which is not included on Form DC-2.

Form DC-2 is self-administered. Instructions for completing the form are provided on the reverse side of the DC-2. At the beginning of each calendar year Form DC-2 is sent directly to the employee representatives from the RRB's Compensation and Employer Services Center, along with a cover letter which is annually updated to provide current tax information and instructions relating to the reporting of compensation information to the RRB. Any completed Forms DC-2 is then returned by mail to the RRB's Compensation and Employer Services Center.

**The RRB proposes no changes to Form DC-2.**

To our knowledge, no other agency uses forms similar to Forms DC-2a and DC-2.

3. Planned use of improvement information technology or technical/legal impediments to further burden reduction – None planned at this time. Not cost-effective because of low-volume.
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 collection - If another DC-2a is not obtained when there is a long break in service or, if the group represented or the labor organization served changes, erroneous crediting of service and compensation could result.

Obtaining the service and compensation less frequently than once a year would result in the RRB not having up-to-date information and thereby an increased chance of incomplete or inaccurate information.

7. Special circumstances - None

8. Public comments/consultations outside the agency - In accordance with 5 CFR 1320.8(d), comments were invited from the public regarding this information collection. The notice to the public was published on page 17895 of the April 17, 2009, Federal Register. No comments or requests for additional information were received.
9. Payments or gifts to respondents - N.A
10. Confidentiality - Privacy Act System of Records, RRB-5, Master File of Railroad Employee's Creditable Compensation System.
11. Sensitive questions - N.A.
12. Estimate of respondent burden – The burden for this information collection is unchanged as follows:

Current Burden

Form #	Annual Responses	Time (Min)	Burden (Hours)
DC-2a	0	15	-0-
DC-2	65	30	33
Total	65		33

13. Estimated annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal Government - N.A.
15. Explanation for change in burden – N.A.
16. Time schedule for data collections and publications - 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 dates on the form.
18. Exceptions to Certification Statement - None