

Justification
Employer's Deemed Service Month Questionnaire
RRB Form GL-99

1. Circumstances of information collection – Under Section 3(h) of the Railroad Retirement Act (RRA), service performed for a covered railroad employer or as an employee representative is creditable toward an annuity under the RRA. Such annuities are based on an employee's earnings credits and months of service. Section 3(i) of the Act, as amended by the Railroad Retirement Solvency Act of 1983 (P.L. 98-76) provides that after 1984, the Railroad Retirement Board (RRB) under certain circumstances, may deem additional months of service for an employee who has worked less than 12 months in a calendar year and who also satisfies certain eligibility requirements, including the existence of an employment relation between the employee and his or her employer.

The procedures pertaining to the deeming of additional months of service are contained in the RRB's regulations 20 CFR 210, Creditable Railroad Service.

2. Purposes of collecting/consequences of not collecting the information – The RRB uses Form GL-99, Employer's Deemed Service Months Questionnaire, to obtain needed information from railroad employers for determining whether:
 - an employee had an employment relation with a covered railroad employer or was an employee representative during a month not worked; and
 - whether such an employee may be credited with a deemed month.

Form GL-99 is initiated by the RRB's Assessment and Training – Protest Unit, when an employer reports less than 12 months of service and additional information is needed before the employee can be deemed with months of service above those reported by the employer because there are:

- five or more potential deemed months; or
- potential deemed months and more than one employer; or
- potential deemed months that are not followed by reported months of service.

We propose changing the manner of generation for form GL-99, from computer generated to PC-generated on RRAILS. When the mainframe program generates the GL-99 information, it will now download into a file that will be accessed through the RRAILS program and will prefill the identifying information in Items 1 through 4 and the data needing verification in Items 5, 6 and 8 before releasing the form to a railroad employer. Completion of Form GL-99 is self explanatory. After completion, the

employer returns the GL-99 directly to Assessment and Training – Protest Unit, at RRB Headquarters in Chicago either by mail or by facsimile.

The Railroad Retirement Board also proposes the following changes to Form GL-99:

- Remove instructions for determining employment relationship and refer employee to Employee Reporting Instructions.
- Add that the form can be returned by facsimile to A&T, Compensation and Employer Services, Protest Unit. A&T has included this option for other forms that require an employer response.
- Other minor, non-burden impacting cosmetic and editorial changes.

To our knowledge no other agency uses a form similar to GL-99.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – Budgetary and technology constraints prevent us from making further technological improvements at this 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 collection – Not applicable since the deeming actions are part of the annual update of railroad employees' service and compensation records.
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 18408-18409 of the April 22, 2009, 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-5, Master File of Railroad Employees' Creditable Compensation.
11. Sensitive questions – N.A.

12. Estimate of respondent burden – The estimated burden for this collection is unchanged as follows.

Current Burden

Form No.	Annual Responses	Time (min)	Burden (hours)
GL-99	4,000	2	133

13. Estimate of 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 and publication – The results of this collection will not be published.
17. Request to not display OMB expiration date – the GL-99 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 the Certification Statement – None