

Justification
Investigation of Claim for Possible Days of Employment
ID-5S (SUP)

1. Circumstances of information collection – Under Section 1(k) of the Railroad Unemployment Insurance Act (RUIA), unemployment and sickness benefits are not payable for any day remuneration is payable or accrues to the claimant. Also, Section 4(a-1) of the RUIA provides that unemployment or sickness benefits are not payable for any day the claimant receives the same benefits under any law other than the RUIA.

Under the Railroad Retirement Board's (RRB) regulation, 20 CFR 322.4(a), a claimant's certification or statement on a claim form provided by the RRB to the effect that he or she did not work on any day claimed and did not receive income such as vacation pay or pay for time lost for any day claimed, on such form will constitute sufficient evidence that this requirement has been met unless there is conflicting evidence. The forms provided by the RRB for such purposes are Forms UI-3, Claim for Unemployment Benefits, and SI-3, Claim for Sickness Benefits, OMB Numbers 3220-0022 and 3320-0039, respectively.

Further, under CFR 322.4(b), when there is a question as to whether this basic requirement has been met, an investigation will be made to obtain information sufficient for a finding.

Information indicating that an investigation should be initiated may be received:

- on or with application or claims;
 - from wages and/or benefit payments shown on State wage records;
 - from compensation shown on railroad employers' records;
 - during interviews;
 - from tips or complaints from interested outsiders; or
 - from employers.
2. Purposes of collection/consequences of not collecting the information - The RRB currently uses **Form ID-5S (SUP), Report of Cases for Which All Days were Claimed During a Month Credited Per an Adjustment Report**. The form is used to request information about compensation credited to an employee during a period when the employee claimed either unemployment or sickness benefits from a railroad employer. The request is generated as a result of a computer match that compares data between which is maintained in the RRB's RUIA Benefit Payment file with data maintained in the RRB's records of service and compensation. Similar to RRB Form ID-5R (SUP), Report of Employees Paid RUIA Benefits for Every Day in Month Reported as Month of Creditable Service, which is generated annually after the RRB's service and compensation records are updated with

information from RRB Form BA-3, Annual Report of Creditable Compensation (OMB No. 3220-0008), the ID-5S (SUP) is generated annually when the computer match indicates that an employee(s) of the railroad employer was paid unemployment or sickness benefits for every day in one or more months for which the RRB adjusted creditable compensation due to the receipt of RRB Form BA-4, Report of Creditable Compensation Adjustments (OMB No. 3220-0008), from their railroad employer.

The RRB computer generates Form ID-5S (SUP) with the employee(s) identifying information, the BA-4 adjustment process date, and the claimed months in question prefilled. Space is provided on the report for the employer to supply the information requested in the computer-generated transmittal letter, **Form ID-5S, Railroad Compensation Adjustment Discrepancy Report**, which accompanies the report.

The RRB proposes no changes to Form ID-5S (SUP).

To our knowledge no other agency uses forms similar to Form ID-5S (SUP).

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – Low volume of these employer forms relegates them to a lower priority in the employer reporting electronic initiative.
4. Efforts to identify duplication – This information collection does not duplicate any other information collection.
5. Small business respondents – Respondents can be small businesses. However, the nature and amount of the information requested is such that minimizing the burden for small businesses is not relevant.
6. Consequences of less frequent collection – Not applicable since the information is solicited once for a case.
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 38565 of the July 2, 2010, 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-6, Unemployment Insurance Record File – RRB, and RRB-21, Railroad Unemployment and Sickness Insurance

Benefit System – RRB. An RRB Privacy Impact Assessment that includes RRB-6 and 21 can be found at the following link: <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>

- 11. Sensitive questions – N.A.
- 12. Estimate of respondent burden – The current estimated annual burden for the collection is unchanged as follows:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
ID-5S (SUP)	80	10	13
Total	80		13

- 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 not to display OMB expiration date – The forms submitted for approval are seldom revised. Given the costs associated with reprogramming, redrafting, reprinting, and distributing the forms in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the expiration date on the forms.
- 18. Exceptions to the Certification Statement – None