

Justification  
**Certification Regarding Rights to Unemployment Benefits**  
 RRB Form UI-45

1. Circumstances of information collection - Under Section 4 of the Railroad Unemployment Insurance Act (RUIA), an employee who leaves work voluntarily is disqualified for unemployment benefits unless the employee left work for good cause and is not qualified for unemployment benefits under any other law.

The procedures covering determinations when an employee leaves work voluntarily are contained in instructions issued by the Director of Policy and Systems under authority prescribed in 20 CFR 320.5. These instructions are contained in Article 15 of the Adjudication Instructional Manual (AIM) and Chapter 315 of Part II of the Field Operating Manual (FOM).

2. Purposes of collecting/consequences of not collecting the information - Form UI-45, Claimant Statement-Voluntary Leaving of Work is used by the Railroad Retirement Board (RRB) to obtain the claimant's statement when it is indicated by the claimant, the claimant's employer, or another source, that the claimant has voluntarily left work. Most Form UI-45's result from responses the claimant made on Form UI-3, Claim for Unemployment Benefits, OMB No. 3220-0022 or because of a state wage match discrepancy or a railroad employer's protest.

Form UI-45 is used to obtain:

- Information from a claimant regarding the nature of the job left and the reason(s) for leaving. This information is used by RRB field office personnel to determine whether or not a claimant left work voluntarily and with good cause;
- Information concerning the claimant's work history outside of the railroad industry during the last two years; and,
- "Yes/No" responses from the claimant regarding potential entitlement to state unemployment or other unemployment benefits payable under any law other than the RUIA. This information includes whether the claimant has filed a claim for state or other unemployment benefits since voluntarily leaving the job. If denied these benefits we ask that a copy of the benefit award notice or decision be attached. This information assists the field office in determining whether a claimant should be disqualified for RUIA benefits because of entitlement to state unemployment benefits.

Form UI-45 is usually used during a personal interview by RRB field office personnel. Occasionally, it is mailed to the claimant in response to information the claimant provided on Form UI-3, Claim for Unemployment Benefits, OMB NO. 3220-0022. The claimant's social security number and name and the appropriate RRB field office return address are prefilled. The RRB field office that mails the form stamps their return address on an unfranked envelope, which the claimant then uses to return the form. The information developed during the interview is recorded on Form UI-33, District Office Record of Determinations as to Voluntary Quit. Form UI-33 is also used to record the verification of "reason(s) for leaving" obtained from employers by telephone after the interview. Completion of Form UI-45 is self-explanatory.

**The RRB proposes no changes to Form UI-45.**

To our knowledge no other agency uses forms similar to Form UI-45.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – Not cost effective due to 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 -Not applicable since the information is solicited only once for each investigation involving a claimant who has voluntarily left work.
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 the information collection. The notice to the public was published on page 36451 of the June 25, 2010, Federal Register. No comments or requests for additional information were received.
9. Payments or gifts to respondents - None
10. Confidentiality - Privacy Act System of Records, RRB-6, Unemployment Insurance Records, and RRB-21, Railroad Unemployment and Sickness Insurance Benefits System. An RRB Privacy Impact Assessment that includes RRB-6 and RRB-21 can be found at the following link: <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>.
11. Sensitive questions - None
12. Estimate of respondent burden - The current burden for this collection is unchanged as follows:

Current Burden			
Form	Responses	Time (Min)	
UI-45	1,000	15	250
Interview			
Claimant	950	10	158
Employer	950	5	79
Total	2,900		487

13. Estimated 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 form associated with this collection 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 OMB expiration date on the form.
18. Exceptions to Certification Statement - None