

Supporting Statement
Form R-43
OMB 3076-0002

A. Justification

1. The policy of the United States, as expressed at Section 201(b) of the Labor Management Relations Act (29 U.S.C. 171(b)), is to make governmental facilities available for voluntary arbitration. To carry out this policy, the Federal Mediation and Conciliation Service (FMCS) have issued regulations (29 CFR Part 1404) which provide for the operation and maintenance of a roster of professional arbitrators. There are at present 1344 persons on the FMCS roster, and about 10,000 panels, i.e. lists of arbitrators which are furnished to parties each year to be used by them to select the arbitrator of their choice. The arbitrators are private citizens, not employees of FMCS, and are paid by the parties for hearing and deciding the issues submitted for determination. The Request for Arbitration Services, Form R-43, is used by the parties – labor and management individually or jointly – to request that FMCS furnish a list of arbitrators.
2. The information on Form R-43 is supplied by the party or parties requesting a list of arbitrators. The information furnished on the current form consists of the names, addresses, and phone numbers of the parties involved, the location where the dispute will be heard, the type of issue involved, the type of industry, any special requirements, and one or both signature(s) of the parties involved (one signature, if there are no special requirements, and both if there are). This information assists FMCS in determining from which geographical location expert arbitrators should be selected, which arbitrators have special qualifications such as experience in deciding specific issues or hearing cases in particular industries, as well as the addresses of the parties receiving the list of arbitrators. The information is necessary for FMCS to respond to the requests submitted to the Agency.
3. Form R-43 is available on FMCS' website and can be submitted electronically. There are no other apparent technological considerations.
4. There is no other form which duplicates R-43.
5. It is possible that some companies making requests on the R-43 may qualify as small businesses. The following points should be noted, however: (1) The use of the FMCS arbitration roster is voluntary--no one is required to use it; and (2) The information supplied on the Form R-43 is minimal. The form takes approximately 10 minutes to complete and submit.
6. There are no special consequences to Federal program or policy activities if the collection is not conducted.
7. Requests for arbitration services are submitted on an "as needed" basis. There are no other special circumstances.

8. The agency 60 day notice is contained in the Federal Register of May 13, 2011, Vol. 76, No. 93, pages 28034 -28035. No comments were received. There has been no consultation with persons outside the agency within the last three years.
9. There has been no decision to provide any payment or gift to respondents.
10. There has been no assurance of confidentiality provided to the respondents.
11. There are no questions of a sensitive nature, such as sexual behavior and attitudes, religion beliefs, and other matters that are commonly considered private.
12. There are 10,000 responses per year and in most instances the form is completed only once. The annual burden is 1667 hours. This figure was calculated by taking 10,000 responses and multiplying the figure by 10 minutes (per application) which equals 100,000 minutes. Then divide 100,000 by 60 minutes which equals 1667 hours.
13. The total annual reporting and record keeping cost burden is \$0. The form is available and can be submitted on line. No record keeping is required.
14. Since Form R-43 is available and can be submitted on line, the annualized costs to the government is substantially limited to processing. Processing is performed by employees in grades 5-8 and generally takes about 30 minutes. Annualized cost is estimated at \$100,000.
15. Cost burden adjustment attributable to expiration of R-43 on December 31, 2010.
16. Aggregated data from Form R-43 is included in FMCS' annual report.
17. The agency is not seeking approval to preclude display of the expiration date of OMB approval on the information collection.
18. There is no exception to the certification statement identified in Item 19 (certification for Paperwork Reduction Act Submissions).

B. Not Applicable