

Supporting Statement
Form R-19
OMB 3076-0003

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. Arbitrators on the roster issue 2500 decisions annually. FMCS utilizes Form R-19 (Arbitrator's Report and Fee Statement), which arbitrators file with the Agency following each decision rendered, to monitor the work of the arbitrator and to collect arbitration information, such as median arbitrator fees and days spent on each case, for the Agency's annual report.

2. Pursuant to 29 U.S.C. 171(b) and 29 CFR Part 1404, FMCS is responsible for monitoring the work of the arbitrators who serve on its Arbitration Roster. To facilitate this function, FMCS requires arbitrators to complete Form R-19 for each arbitration. Form R-19 requests such information as date of the arbitration award, issues adjudicated, arbitration award due date, arbitration fees charged, and number of days of arbitration services, including the number of travel, hearing, and study days. FMCS uses this information to monitor arbitrators' work and timeliness, and to inform the public and Congress about the arbitration services program. For example, the Director of Arbitration Services uses the information to evaluate complaints raised by parties about arbitrators' performance. In FMCS annual report, FMCS provides information to the public and to Congress about national trends in arbitration, e.g. the length of arbitration hearings; the average travel days, hearing days, and preparation days; the average fee charges, including per diem and travel expenses; and the issues arbitrated.

FMCS receives approximately 3,000 responses to Form R-19 per year. Without this form, FMCS will not be able to acquire information necessary to monitor the arbitrators' work and timeliness, or provide valuable information to the public and Congress about its arbitration program.

3. Form R-19 is available on FMCS' website but must be filed in hard copy. There are no other technological considerations.

4. There is no other form which duplicates R-19.

5. No small businesses are impacted.

6. If the collection is not conducted, FMCS will not be able to monitor the arbitrators' work and timeliness. In addition, without the collection FMCS will not be able to inform the public or Congress about national trends in arbitration, e.g. average

length of arbitration hearings; average travel days, hearing days, and preparation days; average fee charges, including per diem and travel expenses; and issues arbitrated.

7. Arbitrators are required to file a Form R-19 upon the completion of each case. 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 1344 arbitrators submitting 2,500 forms per year. The annual burden is 417 hours. This figure was calculated by taking 2,500 responses and multiplying the figure by 10 minutes (per report) which equals 25,000 minutes. The 25,000 minutes divided by 60 minutes equals 417 hours. The annualized cost burden to respondents is estimated to be \$49,917 (\$115 average arbitrator hourly rate, multiplied by 1/6 hour per response, multiplied by 2500 responses).
13. The total annual record keeping cost burden is \$0.
14. Since Form R-19 is available on line, the annual costs to the Agency is substantially limited to processing. Processing is estimated to be \$50,000.
15. Adjustment attributable to expiration of Form R-19 on December 31, 2010.
16. Selected data from Form R-19 submissions are aggregated for inclusion 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