

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 to determine 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 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.

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

- Under "Employer Instructions," update the organizational name from "Assessment and Training" to "Policy and Systems."
- Current Instructions, Item 6 and Item 7 - Merge all three together and number as proposed Item 6, renaming current Item 7 title from *Reported Months*, to *Month(s) Not Worked in <Year>*. The RRB will pre-fill any months indicated as not worked during that year.
- Renumber current Item 8, *In Employment Relationship?* to Item 7 and add "Yes" and "No" boxes so the employer can indicate whether the employee had a relationship with them during the months indicated in proposed Item 6.
- Move the "Total" service months reported column that runs at the end of current Items 7 and 8 to a **proposed new Item 8, Service Months Reported**, which will automatically pre-fill from the RRB's GL-99 program before the form is released. The employer will no longer have to provide the total.
- Create **New Item** "For RRB Use." The employer will not have to provide a response. The applicable information pre-fills from the GL-99 program.

- Number the Certification Statement to Item 11.
- Add “Certifying Officer” to the signature and title lines to clarify who should be signing the form.

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 51834 of the August 27, 2012, 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. In accordance with OMB Circular M-03-22, a Privacy Impact Assessment for this information collection was completed and can be found at <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>.
11. Sensitive questions – N.A.
12. Estimate of respondent burden – The estimated burden for this collection is unchanged as follows.

Current Burden

Form Number	Annual Responses	Time (Minutes)	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