

**APPENDIX E**

**60-DAY *FEDERAL REGISTER* NOTICE**



according to DOL needs. Upon completion of the pilot, a report will be written so that final results will be clearly outlined.

Using results from the first two tasks, the contractor developed a modularized survey questionnaire that is approximately 18 minutes in length. The questionnaire begins with a core set of questions about the DOL voice definition. These questions will be the crux of the voice survey and will provide DOL with an index for each respondent or a voice “score.” This score will be applicable across agencies and is expected to be used in other research being undertaken with the Department. The second part of the instrument is two rotating modules, one each for OSHA and for WHD, in which specific questions can be directed to respondents about each agency. Each respondent will be directed to just one module (*i.e.*, no respondent will get both the OSHA and the WHD modules). Each module will focus on knowledge, voice, and perceived noncompliance for the given agency, providing a second gauge of a voice measure—one that has more granularities around the topics. For example, knowledge of specific laws will be tested for each agency as well as more detail on noncompliance. A final

section will query how worker rights are being communicated. In the knowledge section, respondents will be asked about worker rights (corresponding to agency specifics) and a knowledge score will be derived to assess a knowledge index score for each respondent. This knowledge index will then play into a second overall actual voice score that is calculated for each respondent. The survey will be conducted in both Spanish and English, and will be administered only to people who, according to the CPS, say they are currently employed.

**2. Desired Focus of Comments:** Currently, the Department of Labor is soliciting comments concerning the above data collection. Comments are requested that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submissions of responses.

**3. Current Actions:** Pursuant to the PRA implementing regulations at 5 CFR 1320.8(d)(1), this notice requests comments on the proposed information collection request discussed above in the Background section of this notice. Interested parties are encouraged to provide comments to the individual list in the **ADDRESSES** section above.

**Agency:** Office of the Assistant Secretary for Policy.  
**Type of Review:** New Collection  
**Title of Collection:** Voice in the Workplace Survey.  
**OMB Control Number:** [Insert OMB Control Number].  
**Affected Public:** Individuals or households.  
 Two survey undertakings will be completed, the first being the pilot with 800 respondents and the second being the full study with 4,000 respondents.

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
General Working Population .....	Pilot Voice Study .....	800	1	18/60	240
General Working Population .....	Full Voice Study .....	4,000	1	18/60	1,200

Comments submitted in response to this request will be summarized and/or included in the request for OMB approval; they will also become a matter of public record.

Signed: at Washington, DC, this 6th day of December, 2011.

**William E. Spriggs,**  
*Assistant Secretary, Office of the Assistant Secretary for Policy.*

[FR Doc. 2011-31821 Filed 12-9-11; 8:45 am]

**BILLING CODE 4510-22-P**

**DEPARTMENT OF LABOR**

**Proposed Information Collection Request (ICR) for the Evaluation of the Unemployment Compensation Provisions of the American Recovery and Reinvestment Act of 2009; Comment Request**

**AGENCY:** Office of the Assistant Secretary for Administration and Management, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL or the Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) [44 U.S.C.

3506(c)(2)(A)]. This program helps to ensure that required data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by the Office of Management and Budget (OMB) under the PRA and the related materials display a currently valid OMB control number. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the related materials do not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6.

A copy of the proposed ICR can be obtained by contacting the office listed

below in the addressee section of this notice or by accessing <http://www.doleta.gov/OMBCN/OMBCControlNumber.cfm>.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before February 10, 2012.

**ADDRESSES:** Send comments to Jonathan Simonetta, U.S. Department of Labor, Office of the Chief Evaluation Officer, 200 Constitution Avenue NW., Frances Perkins Bldg., Room S2316, Washington, DC 20210, telephone number (202) 693-5959 (this is not a toll-free number). His email address is [simonetta.jon.a@dol.gov](mailto:simonetta.jon.a@dol.gov) and fax number is (202) 693-6061.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The recession that began in late 2007 posed major challenges for the U.S. system of unemployment compensation (UC). For example, sharply increasing lengths of unemployment spells prompted Federal legislation that extended the potential duration of UC benefits to unprecedented levels and led to the adoption of changes to the ways those benefits are financed.

To determine the effectiveness of the most significant UC policy initiatives undertaken in response to these challenges—those included in the American Recovery and Reinvestment Act of 2009 (ARRA) and related extended UC provisions included in the Emergency Unemployment Compensation Act of 2008 (EUC08)—the Department is undertaking the Evaluation of the Unemployment Compensation Provisions of the American Recovery and Reinvestment Act of 2009. The evaluation includes examinations of the UC-related components of ARRA associated with (1) The provision of extended UC benefits through the Extended Benefits (EB) and EUC08 programs, (2) the incentives designed to encourage states to modernize certain aspects of their UC systems, and (3) additional assistance provided to unemployed workers and states to help them weather the effects of the recession. This latter assistance includes the Federal Additional Compensation program and an exemption of the taxation of some UC benefits—approaches to help unemployed workers—and suspension of interest payment provisions to help states. DOL has contracted with Mathematica Policy Research and its subcontractor, Urban Institute, to conduct this evaluation.

*The evaluation will address the following research questions:*

1. What factors are related to states' decisions on whether to adopt ARRA modernization provisions and the Total Unemployment Rate trigger for EB? What are the economic and political factors related to states' decisions? What do states' experiences imply for future roll-outs of modifications to the UC system?

2. What are states' experiences implementing each of the UC-related ARRA provisions? What factors shape states' implementation experiences? What are the effects of enacting provisions? What are the costs of implementation? How have states used the incentive payments?

3. What are the demographic and economic characteristics of UC recipients? What are their post-UC labor market outcomes?

4. What are the impacts of UC ARRA provisions on recipients' outcomes, such as their unemployment durations and reemployment rates?

5. How well did EUC08 and related programs help to stabilize the economy? To what extent were extended benefits timed to mitigate the effects of the economic downturn? How effective were EB and EUC08 triggers in targeting benefits to states with the most severe unemployment?

In addition to using published and administrative data, the analysis will rely on high-quality data collected from three major sources.

1. *UI Recipient Survey.* From 20 states that were randomly selected to represent the nation as a whole, 3,000 recipients will be sampled and asked to complete the UI recipient survey. This sample is expected to lead to 2,400 completed surveys based on an expected response rate of 80 percent. The survey will collect information such as the recipients' demographic and economic characteristics; pre-unemployment earnings, occupation, and industry; length of unemployment and time to reemployment; UI benefits accessed; other government support (such as Temporary Assistance for Needy Families and food stamps); household income and assets; the effects of reduced income; training received and completed; coverage by health insurance; reemployment earnings; and other characteristics of post-UI jobs, such as fringe benefits, industry, and occupation.

2. *Survey of UI Administrators.* A survey of administrators from the 50 states and the District of Columbia will ask about three main study topics, including (1) The decision to adopt UI modernization provisions, (2) general

implementation issues, and (3) use of ARRA incentive funds.

3. *Site Visits.* On-site visits conducted in 20 purposively selected states facilitate the collection of detailed information about why states decided whether to implement certain modernization and EB provisions, as well as states' successes and challenges in implementing the modernization provisions, EUC08, EB, and the Federal Additional Compensation program; an exemption of the taxation of UC benefits; and/or interest payment provisions allowed under ARRA. On-site visits will be supplemented by a Data Systems Survey provided to state-level staff in advance of the in-person visits but discussed during the visits.

**II. Desired Focus of Comments**

Currently, the Department is soliciting comments concerning the above data collection for the Evaluation of the Unemployment Compensation Provisions of the American Recovery and Reinvestment Act of 2009. Comments are requested to:

- Evaluate whether the proposed ICR is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility
- Evaluate the accuracy of the agency's estimate of the burden of the proposed ICR, including the validity of the methodology and assumptions used
- Enhance the quality, utility, and clarity of the ICR
- Minimize the burden of the ICR on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, for example, permitting electronic submissions of responses.

**III. Current Actions**

At this time, DOL is requesting clearance for the UI Recipient Survey, the Survey of UI Administrators, and the site visit data collection materials (which include the protocol and the Data Systems Survey).

*Type of Review:* New ICR.

*OMB Number:* XXXX-XXXX.

*Affected Public:* UI recipients, state UI administrators and other UI program staff, state legislators, lobbyists, and One-Stop Career Center staff.

**For the UI Recipient Survey**

*Frequency:* Once.

*Total Responses:* 2,400.

*Average Time per Response:* 30 minutes for the survey of UI recipients.

*Estimated Total Burden Hours:* 1,200.

*Total Burden Cost:* \$17,280.

**For the Survey of UI Administrators**

Frequency: Once.  
 Total Responses: 77.<sup>1</sup>  
 Average Time per Response:  
 • 51 State Administrators at 15 minutes each.  
 • 26 state Administrators at 30 minutes each.  
 Estimated Total Burden Hours: 26.  
 Total Burden Cost: \$1,318.

**For the Site Visit Data Collection**

Frequency: Once.  
 Total Responses:  
 • State UI office staff time to plan for the site visits.  
 —80 responses (= 4 staff per state, for 20 states).  
 —Average time per response = 30 minutes per staff.  
 —Estimated total burden hours = 40 hours.

- State UI office staff for in-person interviews.  
 —180 responses (= 9 staff per state, for 20 states).  
 —Average time per response = 90 minutes per staff.  
 —Estimated total burden hours = 270 hours.
- Call center administrators for in-person interviews.  
 —30 responses (= 1.5 staff per state, for 20 states).  
 —Average time per response = 90 minutes per staff.  
 —Estimated total burden hours = 45 hours.
- Local One-Stop Career Center administrator for in-person interviews.  
 —20 responses (= 1 staff per state, for 20 states).  
 —Average time per response = 90 minutes per staff.

—Estimated total burden hours = 30 hours.

- Other stakeholders for in-person interviews.  
 —120 responses (= 6 staff per state, for 20 states).  
 —Average time per response = 90 minutes per staff.  
 —Estimated total burden hours = 180 hours.
- State staff for the Data Systems Survey.  
 —20 responses (= 1 staff per state, for 20 states).  
 —Average time per response = 30 minutes per staff.  
 —Estimated total burden hours = 10 hours.

Total burden cost for the site visit data collection: \$29,147.

Respondents	Total respondents	Frequency of collection	Average time per response (minutes)	Burden (hours)	Burden cost
UI Recipients Survey .....	2,400	Once .....	30	1,200	\$17,280
Survey of UI Administrators .....	277	Once .....	30	26	1,318
<b>Site Visit Data Collection</b>					
Planning for the Site Visits .....	80	Once .....	30	40	2,028
On-Site Interviews—State UI Office Staff .....	180	Once .....	90	270	13,686
Call Center Administrator .....	30	Once .....	90	45	2,281
Local One-Stop Career Center Administrator .....	20	Once .....	90	30	1,521
Other Stakeholders .....	120	Once .....	90	180	9,124
Data Systems Survey—State Staff .....	20	Once .....	30	10	507
Total for Site Visit Data Collection .....	450	.....	.....	575	29,147
Total for Surveys and Site Visits .....	2,927	.....	.....	1,801	47,745

The total burden cost for the UI Recipient Survey represents 30 minutes, on average, for participant respondents to complete the questionnaire multiplied by the number of expected respondents (2,400) and by an estimated average hourly wage of \$14.40 per hour.<sup>3</sup>

The burden cost for the Survey of UI Administrators represents 30 minutes, on average, for respondents to complete the questionnaire multiplied by the number of respondents and by an estimated average hourly wage of \$50.69, the average hourly rate for a management position. Thus, the total participant burden for the completion of

the enrollment forms is \$17,280 (= 2,400 × 30/60 × \$14.40).<sup>4</sup>

The burden cost for site visit data collection is estimated to be 575 hours. For each of 20 states that will be part of this data collection effort, an average of two hours of previsit planning and coordination with the evaluation team is expected. The on-site interviews are expected to include interviews averaging 90 minutes each of (1) 9 state UI office staff; (2) 1.5 call center administrators; (3) 1 administrator in half of the states and 2 administrators in half of the states; (4) 1 local One-Stop Career Center administrator; and (5) 6 other stakeholders, such as lobbyists,

legislators, and individuals on the UI Advisory Council. Each state that is part of the site visit data collection effort also will be asked to have a staff person complete the Data Systems Survey in advance of the visit; the time to complete this survey is expected to be 30 minutes. Assuming a wage of \$50.69 per hour, the total burden on participants for the site visits is estimated to be 575 hours with a total cost of \$29,146 (= \$50.69 × 575). Thus the total administrator burden for the completion of the survey is \$1,318 (= \$50.69 × 26).

The total burden for this ICR is estimated to be 1,801 hours (\$47,745 in

<sup>1</sup> The number of respondents and average time per response for the survey of UI administrators are based on an assumption that (1) 26 UI jurisdictions will take 45 minutes to respond (involving 1 respondent for 30 minutes and 1 respondent for 15) and (2) 25 UI jurisdictions will take 15 minutes to respond (1 respondent for 15 minutes).

<sup>2</sup> The number of respondents and average time per response for the survey of UI administrators are based on an assumption that (1) 26 UI jurisdictions

will take 45 minutes to respond (involving 1 respondent for 30 minutes and 1 respondent for 15) and (2) 25 UI jurisdictions will take 15 minutes to respond (1 respondent for 15 minutes).

<sup>3</sup> This hourly wage estimate is the midpoint of wages reported by participants in another DOL study, the initial Individual Training Account Evaluation. In that study, hourly wages for the Individual Training Account study participants ranged between \$13.60 and \$15.20. McConnell, et

al. 2006, “Managing Customers’ Training Choices: Findings from the Individual Training Account Experiment.” Washington, DC: Mathematica Policy Research, Inc., December 2006.

<sup>4</sup> This average hourly wage rate is from the “May 2010 National Occupational Employment and Wage Estimates: United States,” available from the Bureau of Labor Statistics, [http://www.bls.gov/oes/current/oes\\_nat.htm#11-0000](http://www.bls.gov/oes/current/oes_nat.htm#11-0000), accessed May 17, 2011.

burden cost), which is the sum of the burdens (and burden costs) for the surveys and site visit data collection effort.

Comments submitted in response to this request will be summarized and/or included in the request for OMB approval; they will also become a matter of public record.

Signed: at Washington, DC, this 7th day of December, 2011.

**William E. Spriggs,**

*Assistant Secretary, Office of the Assistant Secretary for Policy.*

[FR Doc. 2011-31812 Filed 12-9-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Proposed Information Collection Request (ICR) for the Impact of the American Recovery and Reinvestment Act (ARRA) COBRA Subsidy Survey; Comment Request

**AGENCY:** Office of the Assistant Secretary for Policy, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL or the Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that required data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by the Office of Management and Budget (OMB) under the PRA and the related materials display a currently valid OMB control number. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the related materials do not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. A copy of the proposed ICR can be obtained by contacting the office listed below in the addresses section of this notice or by accessing <http://www.doleta.gov/OMB/CN/OMBControlNumber.cfm>.

**DATES:** Written comments must be received by the office listed in the addresses section below on or before February 10, 2012.

**ADDRESSES:** Send comments to Celeste Richie, U.S. Department of Labor, Chief Evaluation Office, Office of the Assistant Secretary for Policy, 200 Constitution Avenue NW., Frances Perkins Bldg., Room S-2316, Washington, DC 20210, telephone number (202) 693-5076 (this is not a toll-free number). Email address is [richie.celeste@dol.gov](mailto:richie.celeste@dol.gov) and fax number is (202) 693-5960.

#### SUPPLEMENTARY INFORMATION

1. *Background:* The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 gave some employees the ability to continue employer-sponsored health coverage for a limited time after they left employment. COBRA required that private employers with 20 or more employees offer continued health coverage to workers who were enrolled in the employer's health plan and lost coverage as a result of termination of employment or a reduction in work hours for reasons other than gross misconduct. It also ensured a continued offer of coverage to spouses and dependent children who otherwise might lose coverage because (1) Of a covered worker's job loss, death, a divorce or legal separation, or eligibility for Medicare; or (2) they ceased to be a dependent under the applicable plan provisions (for example, a child who ages out of eligibility).<sup>1</sup> Qualified employees and dependents may elect COBRA coverage any time within 60 days of a qualifying event and continue it for up to 18 months.<sup>2</sup> Because COBRA does not require employers to contribute toward the cost of continued coverage, recipients generally must pay the full health insurance premium plus a 2 percent administrative fee. Although Federal COBRA coverage does not apply to private companies with fewer than 20 employees, many states have established continuation-of-coverage laws (sometimes called mini-COBRA) that extend all or some of COBRA's provisions to smaller firms. Separate Federal laws offer continuation rights comparable to COBRA to Federal civilian and military employees. One provision of the American Recovery and Reinvestment Act (ARRA) of 2009 was intended to help make COBRA coverage

<sup>1</sup> In general, qualified employees, spouses, and dependent children must have been covered by the health plan the day preceding the qualifying event.

<sup>2</sup> Under certain circumstances, qualified dependents may elect COBRA coverage for up to 36 months or longer from the first qualifying event.

more affordable to involuntarily unemployed workers. It required employers to pay 65 percent of the COBRA premium (or comparable state continuation coverage) for qualified workers and dependents for up to nine months. The employers subsequently received a credit of that amount against their Federal payroll taxes. Qualified workers and dependents were eligible to receive ARRA subsidies for COBRA if the worker (1) Experienced an involuntary termination of employment between September 1, 2008, and December 31, 2009 (later extended to May 31, 2010); and (2) was not eligible for group health coverage (such as through the plan of a spouse or new employer) or Medicare. Workers also had to have an adjusted gross income under \$125,000 (filing singly) or \$250,000 (filing jointly), with more modest subsidies available for incomes between \$125,000 and \$145,000 or between \$250,000 and \$290,000, respectively. Pursuant to this legislation, many people eligible for COBRA (or mini-COBRA) coverage might be (or might have been) eligible to pay a reduced premium for COBRA coverage for up to 15 months. Little is known about the number and characteristics of workers and dependents who are eligible for COBRA coverage or about the workers that used the subsidy to continue coverage. The Chief Evaluation office in the Office of the Assistant Secretary for Policy (CEO) in the U.S. Department of Labor (DOL) is seeking to fill this knowledge gap. Specifically, CEO would like a reliable estimate of the share of the eligible population that enrolled in ARRA-subsidized COBRA coverage, the number of dependents that enrolled, the duration of ARRA-subsidized enrollment, and how the outcomes of workers would have differed without subsidy. By sponsoring this study, CEO also offers the opportunity to better understand what factors drive COBRA enrollment, and to learn about differences in the experiences of those who were eligible for the subsidy and those ineligible for the subsidy. Mathematica has been contracted to conduct this evaluation on behalf of DOL's CEO. The evaluation will estimate the impact of the subsidy's availability on COBRA insurance take-up and explore factors correlated with take-up and reasons why individuals choose to enroll or not to enroll in COBRA. Specifically, the study will address the following research questions using administrative claims data and a one-time survey of unemployment