

**SUPPORTING STATEMENT  
FOR PAPERWORK REDUCTION ACT SUBMISSION  
OMB Control No. 9000-0089, REQUEST FOR AUTHORIZATION OF  
ADDITIONAL CLASSIFICATION AND RATE, STANDARD FORM (SF) 1444**

A. Justification.

1. This justification supports a request to renew requirements cleared under OMB control numbers 1215-0140, 1215-0149, and 1215-0017 for 29 CFR 5.5(a)(1)(i), 5.5(c), and 5.15 (records to be kept by employers under the Fair Labor Standards Act (FLSA), 29 CFR 516, which is the basic recordkeeping regulation for all the laws administered by the Wage and Hour Division of the Employment Standards Administration). The regulation, 29 CFR 516, prescribes labor standards for federally financed and assisted construction contracts subject to the Davis-Bacon and Related Acts (DBRA), as well as labor standards for nonconstruction contracts subject to the Contract Work Hours and Safety Standards Act (CWHSSA).

Federal Regulation Acquisition (FAR) 22.406-3 provides for establishment of additional classifications, if any laborer or mechanic is to be employed in a classification that is not listed in the wage determination applicable to the contract. The contracting officer, pursuant to the clause at 52.222-6, Davis-Bacon Act, shall require that the contractor submit to the contracting officer, SF 1444, Request for Authorization of Additional Classification and Rate, which, along with other pertinent data, contains the proposed additional classification and minimum wage rate including any fringe benefits payments.

Upon receipt of the SF 1444 from the contractor, the contracting officer shall review the request to determine if it meets the criteria in FAR 22.406-4(b), and if appropriate, follow the procedures in FAR 22.406-3(c).

SF 1444 places no further burden on the contractor or the Government other than the information collection burdens already cleared by OMB for 29 CFR 5.

**2. Uses of information.** The information contained on SF 1444 will be transmitted to the Department of Labor (DoL) for review by their Wage and Hour Division to determine the appropriateness of the request (29 CFR 5.5(a)(1)(ii)(B) and (C)).

**3. Consideration of information technology.** The Government employs a number of eBusiness applications, including FEDBIZOPPS,

to ensure the maximum use of information technology in obtaining bids, offers, or quotations in response to Government solicitations.

**4. Efforts to identify duplication.** This requirement is being issued under the FAR which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

**5. If the collection of information impacts small businesses or other entities, describe methods used to minimize burden.** The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

**6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.** Collection of information on a basis other than solicitation-by-solicitation is not practical.

**7. Special circumstances for collection.** Collection is generally consistent with guidelines in 5 CFR 1320.6.

**8. Efforts to consult with persons outside the agency.** Under the procedures established for development of the FAR, agency and public comments are solicited and each comment addressed before finalization of the text. A 60-day notice was published in the *Federal Register* at 79 FR 24629 on May 8, 2014. One Comment was received, which was supportive of the information collection. A 30-day notice was published in the *Federal Register* at 79 FR 41562 on July 16, 2014 and no comments were received.

**9. Explanation of any decision to provide any payment or gift to respondents, other than re-numeration of contractors or guarantees.** No such payments or gifts are contemplated.

**10. Describe assurance of confidentiality provided to respondents.** This information is disclosed only to the extent consistent with prudent business practices and current regulations. No sensitive questions are involved.

**11. Additional justification for questions of a sensitive nature.** N/A

**12 and 13. Estimated total annual public hour burden.** The public hour burden for the collection requirements of SF 1444 were previously cleared under OMB control number 9000-0089. The information collection requirement in the FAR remains unchanged. There is no additional burden beyond that contemplated by DoL's clearance.

In accordance with information provided by DoL, for 2013, the Wage and Hour Division received 8986 SF 1444s.

Respondents:		<u>4493</u>	
Responses per Respondent:		<u>X 2</u>	
Total annual responses:		8986	
Review time per response:		<u>X .5</u>	Total
Burden Hours:	4493		
Average wages and overhead		<u>\$54 **</u>	
Total cost to the public		\$242,622	

**14. Estimated cost to the Government.** Under the collection, costs to the Government include cost necessary to record the submitted SF 1444 and for the Government to prepare a response to the request based on the number of SF 1444's received by DoL for 2013. It is estimated that the recording and response time for the Government action is 1.5 hours. It is estimated that the cost is based on the average hourly wage salary of GS 13, plus 100% overhead.

Responses/yr	8986
Review hours per response	<u>X 1.5</u>
Total burden hours	13,479
Average wages and overhead	<u>X \$54 **</u>
Total Government cost	\$727,866

\*\*Based on the OPM GS-13/step 5 salary (\$39.31 an hour) plus 36.25 percent burden, rounded to the nearest dollar, or \$54 an hour. The burden rate used is that mandated by OMB memorandum M-08-13 for use in public-private competition, as updated by OMB for the current year. Reference Salary Table 2014-GS, Effective January 2014, found at [www.opm.gov](http://www.opm.gov)).

**15. Explain reasons for program changes or adjustment reported in Item 13 or 14.** A number of factors may have played a role in the increase, such as low participation rates in surveys resulting in fewer classifications in those wage determinations that were published, the passage of American Recovery and Reinvestment Act and issuance of All Agency Memorandum 213.

**16. Outline plans for published results of information collection.** Results of this information collection will not be tabulated or published.

**17. Approval not to display expiration date.** Not applicable.

**18. Explanation of exception to certification statement.** Not applicable.

**B. Collections of Information Employing Statistical Methods.** Statistical methods are not used in this information collection.