

## Justification

**Employee Representative's Status and Compensation Reports**  
RRB Forms DC-2a and DC-2

1. Circumstances of information collection - Under section 1(b)(1) of the Railroad Retirement Act (RRA) the term "employee" includes an individual who is an employee representative. As defined in Section 1(c) of the RRA, an employee representative is:
  - an officer or official representative of a railway labor organization other than a labor organization included in the term "employer," as defined in the RRA, who before or after August 29, 1935, was in the service of an employer under the RRA and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, or
  - any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his or her office.

The information collection requirements relating to the application for employee representative status and the periodic reporting of the compensation resulting from such status is contained in 20 CFR 209.11.

2. Purposes of collecting/consequences of not collecting the information - Forms DC-2a and DC-2 obtain the information needed by the Railroad Retirement Board (RRB) to determine if an individual qualifies as an employee representative and if so, also provides a record of their creditable service and compensation. Details about each of the forms follow.

**RRB Form DC-2a, Employee Representative's Status Report**, serves as an application to obtain employee representative status under the RRA. The information furnished is used by the RRB to determine if the applicant meets the requirements to be an employee representative as set forth in Section 1(c) of the RRA.

The form, which has instructions printed on its reverse side, is furnished on request and self-administered. Once completed, the DC-2a is mailed to the RRB's Compensation and Employers Services Center in the Office of Programs, using a pre-addressed return envelope included for that purpose. Generally, only one DC-2a is submitted by an individual. However, if there is a long break in service, or if the group represented or the labor organization served changes, a new DC-2a is requested.

**The RRB proposes to remove Form DC-2a from the information collection due to less than 10 annual responses.**

**RRB Form DC-2, Employee Representative's Report of Compensation**, is used by the RRB to obtain the annual creditable service and compensation resulting from the individual's employee representative activities. The service and compensation is the same as that obtained for an employee who worked for a covered employer, and as reported on Form BA-3, *Annual Report of Creditable Compensation*, OMB No. 3220-0008. The information is used to update the record of service and compensation maintained by the RRB for the employee representative, for the purpose of paying

benefits to that individual due under law. Form BA-3 also makes provision for reporting Railroad Unemployment Insurance Act Creditable Compensation, which is not included on Form DC-2.

At the beginning of each calendar year the RRB's Compensation and Employer Services Center (CESC) sends Form DC-2 directly to employee representatives along with a cover letter which is annually updated to provide current tax information and instructions relating to the reporting of compensation information to the RRB. The form, which has instructions printed on its reverse side, is then self-administered. Once completed, the DC-2 is returned to CESC using a pre-addressed return envelope included for that purpose.

**The RRB proposes no changes to Form DC-2.**

To our knowledge, no other agency uses forms similar to Forms DC-2a and DC-2.

3. Planned use of improvement information technology or technical/legal impediments to further burden reduction – None planned at this time. Not cost-effective because of low-volume.
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 – If form DC-2 is not obtained erroneous crediting of service and compensation could result.

Obtaining the service and compensation less frequently than once a year would result in the RRB not having up-to-date information and thereby an increased chance of incomplete or inaccurate information.

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 81382 of the December 29, 2015, Federal Register. No comments or requests for additional information were received.
9. Payments or gifts to respondents - N.A
10. Confidentiality - Privacy Act System of Records, RRB-5, Master File of Creditable Service and Compensation of Railroad Employees. 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 current and proposed burden for this information

collection are as follows:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
DC-2a	3	15	1
DC-2	65	30	33
Total	68		34

Proposed Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
DC-2	82	30	41
Total	82		41

	Responses	Hours
Total burden Change	+ <u>14</u>	+7
Adjustment	+14	+7

13. Estimated annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal Government - N.A.
15. Explanation for change in burden – We have increased the total annual responses from 68 to 82 (+14) and the burden hours from 34 to 41 (+7) due to tracking of DC-2 receipts for the last three calendar years. We propose to remove Form DC-2a from the information collection due to receiving less than 10 annual responses. We have shown the change in burden as an adjustment.
16. Time schedule for data collections and publications - The results of this collection will not be published.
17. Request not to display OMB expiration date - The forms associated with this collection are seldom revised. Given the costs associated with redrafting, reprinting, and distributing the forms in order to keep the appropriate expiration date in place, the RRB requests the authority to not display the OMB expiration dates on the form.
18. Exceptions to Certification Statement - None