

**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. Administrative requirements. This justification supports a request to renew requirements cleared under OMB control numbers 1235-0023, 1235-0008, and 1235-0018 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 Department of Labor (DOL) Wage and Hour Division. 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 non-construction 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, Construction Wage Rate Requirements, 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 22.406-3(b), and if appropriate, follow the procedures in FAR 22.406-3(c).

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. A 60-day notice was published in the *Federal Register* at 82 FR 20340 on May 1, 2017. No comments were received. A 30 day notice was published in the *Federal Register* at 82 FR 41961 on September 5, 2017.

9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration 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 2016, the Wage and Hour Division received 7,662 SF 1444s.

Respondents:		3831	
Responses per Respondent:		<u>X 2</u>	
Total annual responses:		7662	
Review time per response:		<u>X 0.5</u>	Total
Burden Hours:	3831		
Average wages and overhead		<u>\$55</u> **	
Total cost to the public		\$210,705	

The estimated cost per response is approximately \$27.50.

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 2016. 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	7662
Review hours per response	<u>X 1.5</u>
Total burden hours	11,493
Average wages and overhead	<u>X \$55</u> **
Total Government cost	\$632,115

**Based on the OPM (Base) GS-13/step 5 salary (\$40.50 an hour) plus 36.25 percent burden, rounded to the nearest dollar, or \$55 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 2017-GS, Effective January 2017, found at www.opm.gov).

15. Explain reasons for program changes or adjustment reported in Item 13 or 14. The reduction of responses from 8,986 to 7,662 and the associated decrease in estimated burden hours from 4,493 hour to 3,831 hours is an adjustment due to a decrease in the number of SF 1444's received by the DOL Wage and Hour Division in 2016.

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.