

**United States Department of Energy**  
**Supporting Statement**  
**Industrial Labor Relations**  
**OMB Control Number 1910-5143**

This supporting statement provides additional information regarding the Department of Energy's (DOE or Department) request for processing of the proposed information collection, *Industrial Labor Relations*.

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the information collection.**

This collection requests information from the DOE Management and Operating (M&O) and Facilities Management Contractors for contract administration, management oversight, and cost control. This information is used to ensure that Department contractors recruit and retain a workforce in accordance with the terms of their contract and in compliance with statutory and regulatory requirements as identified by the contract. The statutory authority for collection of this data is 42 U.S.C. § 7254, which states that "the Secretary is authorized to prescribe such procedural and administrative rules as he may deem necessary or appropriate to administer and manage the functions now or hereafter vested in him;" and 42 U.S.C. § 7256(a), which states that "the Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments (in lump sum or installments, and by way of advance or reimbursement) as he may deem to be necessary or appropriated to carry out functions now or here after vested in the Secretary."

Department contractors are reimbursed through their contracts for the costs of providing this information, as it is an allowable contract cost under Department of Energy Acquisition Regulations (DEAR) 970.5204-3, 970.5227-1, and 970.5232-3. Therefore, those contractors would not be adversely impacted by the requirement to provide the information. The collection of this information is unlike a request for information imposed upon the general public, for which the costs are not reimbursed.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

This information is used by DOE Heads of Contracting Activities, Contracting Officers, Contracting Officers' Representatives, and program managers for contract administration, management oversight, and cost control of DOE M&O and Facilities Management Contracts.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

DOE continues to require contractors to use the same computer software, known as iBenefits, to input this information. There has been no change since the prior request.

iBenefits is a web-based application found at <https://ibenefits.energy.gov/>. Access to the site is granted to users requiring access according to the Security Plan Process. The application hardware is operated, maintained, and controlled by the DOE Office of Chief Information Officer Application Hosting Environment. Users are located across the Department's complex of offices and facilities, and its hosted pages and relational database are located in Germantown, Maryland. Operating within this overall architecture, iBenefits consists of a number of independent modules which share a common set of reference tables, user identification protocols, security mechanisms, data entry techniques, and other such operating conventions. This system was designed to reduce the information collection burden and improve the timeliness and usefulness of the information collected.

DOE M&O and Facilities Management Contractors enter the data manually into the Labor Relations module in the fiscal year quarter following the signing of a collective bargaining agreement.

**4. Describe efforts to identify duplication.**

The data collected is not available from any other source and is not duplicated elsewhere.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The collection of information will not have a significant economic impact on a substantial number of small businesses or other small entities. The contractors who manage and operate DOE facilities are responsible for providing the information, and those contractors exceed the Small Business Administration's (SBA) size standards for small businesses. DOE expects that any potential economic impact of the collection of information on small businesses would be minimal because DOE contractors are reimbursed through their contracts for the costs of providing the requested information.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Effective oversight and management of DOE M&O and Facilities Management Contracts and Department mission accomplishment would be hindered without the collection of this information.

The frequency of collection is dictated by the negotiations with union representatives of the DOE contractor's employees. The contractor negotiates with union representatives based upon sound management practice, regulations, Departmental orders, and requirements. The frequency of these negotiations vary, but are usually within a 3 to 5 year frequency, with

most occurring on a 3 year cycle. When any of these conditions change and information collections can be reduced, reductions are made and the contract documents are adjusted accordingly.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

Information collections in this package have been reviewed and justified by Department management, contract administration requirements, statutes, regulations, inter-agency reporting requirements, Departmental orders, or other internal Department requirements. The collections are consistent with OMB guidelines.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 C.F.R. § 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE.**

The Department published a 60-day *Federal Register Notice* and Request for Comments concerning this collection in the Federal Register on May 16, 2018 (Volume 83, Number 95), Page 22657. No comments were received.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

There is no remuneration given for submission of any of the information. The contractor is reimbursed for costs expended fulfilling contractual requirements.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

When the collection of confidential information is involved, the provisions for handling the information are set forth in the contract documents, related Departmental regulations, and the Privacy Act of 1974 (5 U.S.C. § 552a). The iBenefits application includes processes designed to ensure the integrity and access of the data. Each contractor has unlimited access to its own data, and its personnel cannot access the data of any other contractor. DOE Field and Headquarters personnel are able to view the data entered by assigned contractors, but are unable to change the data.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no collections in this package involving questions that are sensitive, personal, or private in nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.**

The burden provided represents the number of estimated labor hours for the contractor to furnish the data for each of the data collection categories.

There are 35 respondents. The collection of information is required only when a new collective bargaining agreement has been approved or changes have been agreed upon by the contractor and its union represented employees. The length of time may be from three to five years depending on the negotiated agreement. The majority of contracts are three years and that timeframe was used for calculating the annual hour burden. The estimated annual total labor hour burden for this package is 64.4 based on an estimate of 5.5 hours per respondent, divided by 3 years, which equals 1.84 hours per year. The 1.84 hours is multiplied by the 35 respondents to equal 64.4 hours annually. Professional judgment and consultation with respondents was used to calculate the burden.

Total number of unduplicated respondents: 35  
Reports filed per person: 1  
Total annual responses: 35  
Total annual burden hours: 64.4

Average Burden:           Per Collection: 1.84 hours  
  Per Respondent: 1.84 hours

**13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

The average wage for the contractor's Labor Relations personnel who enter the data is \$38.00 per hour, plus \$13.50 in fringe benefits, equaling \$51.50 per hour. The hour burden per year is calculated at 1.84 hours for a total of \$94.76 per year; however, the cost to respondents for this information collection is an allowable contract cost. Therefore, there is no actual cost burden to respondents in the collection of this data.

**14. Provide estimates of annualized cost to the Federal government.**

The iBenefits application was already in existence and there is no additional cost to run the Labor Relations module. The government must reimburse the contractor for these collection costs pursuant to their contracts. The average expense of \$94.76 per year, multiplied by 35 contractors, equals a total of \$3,316.60 per year. There are several Federal employees who review and analyze the data submitted by respondents. The average salary is about \$48.00 and it is estimated that approximately 30 hours are expended by the Federal employees reviewing and analyzing the data for a total of \$1,440.00 per year. Thus, the total annual cost is estimated to be \$4,756.60 per year.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.**

There was a reduction of \$183.60 in annual collection costs since the previous extension in 2015. Though the reported wages for those collecting the information increased, due to the inclusion of fringe benefits in the salary calculation, it was found that overall hours spent by Federal employees on this collection decreased from 50 hours to 30 hours per year. This was due to the migration to iBenefits, a new reporting software in 2015. Its ease of use requires less worktime to analyze and translate the data by Federal employees.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

This package contains no collections whose results will be published or used for statistical purposes. The information collection is used to ensure that Department contractors maintain good labor relations and retain a workforce in accordance with the terms of their contracts and in compliance with applicable statutory and regulatory requirements as identified by the contract.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The Department is not seeking approval to not display the expiration date for OMB approval of the information collections.

**18. Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.**

No exceptions have been taken. This collection of information has been reviewed and justified by Departmental management requirements, statutes, external regulations, interagency reporting requirements, Departmental orders, or other internal DOE requirements, and meets the requirements listed in the "Certification for Paperwork Reduction Act Submissions."