

## **Supporting Statement A Employee Assault Prevention and Response Plan**

### **1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

On October 5, 2018, Congress enacted Public Law 115-254, the FAA Reauthorization Act of 2018 (“the Act”). Section 551 of the Act required air carriers operating under 14 CFR part 121 to submit to the FAA for review and acceptance an Employee Assault Prevention and Response Plan (EAPRP) related to the customer service agents of the air carrier that is developed in consultation with the labor union representing such agents. Section 551(b) of the Act contains the required contents of the EAPRP, including reporting protocols for air carrier customer service agents who have been the victim of a verbal or physical assault.

### **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.**

Air carriers operating under 14 CFR part 121 are mandated by the FAA Reauthorization Act of 2018 to submit the information to the FAA. The EAPRP is reviewed and accepted by the FAA principal operations inspector (POI) responsible for oversight of the certificate holding respondent.

Although the information collected may be not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications.

### **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.**

Air carriers required to submit the EAPRP make use of state-of-the art automated electronic collection and data transmission techniques as the primary means of compliance with the statutory mandate to develop and submit the EAPRP and for record of training participation. This information collection is compliant with the Government Paperwork Elimination Act (GPEA).

There is no form involved with this collection.

### **4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

Similar information is not available from any other source, and FAA experience since implementation validates that there is no duplication of information reporting requirements.

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

The rule was reviewed by the FAA's Office of Policy and was determined not have a significant effect on small entities.

**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.**

Air carriers are statutorily mandated to submit the information to the FAA.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- *requiring respondents to report information to the agency more often than quarterly;*
- *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- *requiring respondents to submit more than an original and two copies of any document; requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*
- *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
- *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*

- *requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

There are no special circumstances or inconsistencies in this collection.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on November 1, 2019 (84 FR 58818), solicited public comment. No comments were received.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There is no payment or gift to respondents.

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

No assurances of confidentiality have been provided to respondents.

**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 questions anticipated to entail matters commonly considered to be sensitive or private.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

Number of respondents who are air carriers under 14 CFR part 121: 70

Frequency of response per respondent: Once for submission of the EAPRP.

Estimated number of hours per respondent to prepare the EAPRP to be submitted to the FAA and record employee training: 20 hours for air carriers submitting the plan for review and acceptance.

Estimated annual hour burden per respondent: 20 for the year the plans are submitted.

Total estimated hours of industry burden:

**Plan:**

Summary (Annual numbers)	Reporting	Recordkeeping	Disclosure
# of Respondents	70		
# of Responses per respondent	1		
Time per Response	20 hours		
Total # of responses	70		
Total burden (hours)	1400 Hours		

For the development of a new Employee Assault Prevention and Response Plan (EAPRP), an operator must write and submit their plan to the FAA. It is estimated that the preparation of a EAPRP will take each operator approximately 20 hours. A technical specialist would prepare the plan for submittal. The employee salary used to calculate this is equivalent to a GS-13 Salary (GS-13, Step 5 hourly wage, Kansas City Locality Pay) for an average wage of \$47.66 per hour<sup>1</sup> with 31.4%<sup>2</sup> fringe benefits cost for a total of \$62.76 per hour. With overhead added<sup>3</sup>, the total salary is \$70.86 per hour. The estimated cost for all of the carriers to develop a FAFRMP is \$99,204 (based on 1,400 hours of work for 70 Air Carriers). Therefore, the maximum potential cost of this new burden for 70 new FOQA carriers during the 3 year period of this collection (1,400 hours) is \$99,204.

<sup>1</sup> [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS_h.pdf)

<sup>2</sup> Bureau of Labor Statistics, Employer Costs for Employee Compensation – September 2018, USDL-18-1941, Released December 14, 2018

<sup>3</sup> Source: Cody Rice, U.S. Environmental Protection Agency, “Wage Rates for Economic Analyses of the Toxics Release Inventory Program” (June 10, 2002), <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005>.

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

Since this is the development of a plan and no other information needs to be submitted to the FAA, there is no additional cost burden to the carrier other than the initial development of the plan.

**14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

This figure is the estimated cost for the government to approve and monitor EAPRP programs. Typically inspectors at the GS-13 level would inspect and approve these programs. Generally, these inspectors are GS-13 (GS-13, Step 5 hourly wage, Kansas City Locality Pay) for an average wage of \$47.66 per hour<sup>4</sup> with 31.4%<sup>5</sup> fringe benefits cost for a total of \$62.76 per hour. With overhead added<sup>6</sup>, the total salary is 70.86 per hour.

FAA Staff Action	FAA Personnel	Burden	
		Time	Cost
(1) Review/Approval of Initial EAPRP	Aviation Safety Inspector - 5 hrs x 70 operators = <b>350 hrs</b> at \$71/hr = <b>\$24,850</b>	350	\$24,850
	<b>Total</b>	<b>350</b>	<b>\$24,850</b>

<sup>4</sup> [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS_h.pdf)

<sup>5</sup> Bureau of Labor Statistics, Employer Costs for Employee Compensation – September 2018, USDL-18-1941, Released December 14, 2018

<sup>6</sup> Source: Cody Rice, U.S. Environmental Protection Agency, “Wage Rates for Economic Analyses of the Toxics Release Inventory Program” (June 10, 2002), <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005>.

**15. Explain the reasons for any program changes or adjustments.**

This is a new requirement due to Congress passing the FAA Reauthorization Act of 2018. This is a new collection.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Although the information collected may be not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications.

**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.**

FAA is not seeking approval to not display the expiration date of OMB's approval of this collection of information.

**18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions.