

SUPPORTING STATEMENT FOR
Request for Information on Earnings, Dual Benefits, Dependents and Third Party Settlement
OMB 1240-0016

This ICR seeks to extend this information collection.

A. Justification

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 collection of information.

The information requested on the CA-1032 is obtained from each claimant receiving continuing compensation on the periodic disability roll. The form requests information on the claimant's earnings, dependents, third party settlements, and other Federal benefits received. The Office of Workers' Compensation Programs (OWCP) sends this form out each year to every claimant on the disability roll. This information is necessary because the Federal Employees' Compensation Act (FECA) states:

- 1) Compensation must be adjusted to reflect a claimant's earnings while in receipt of benefits (5 USC 8106).
- 2) Compensation is payable at the augmented rate of 75 percent only if the claimant has one or more dependents as defined by the FECA (5 USC 8110).
- 3) Compensation may not be paid concurrently with certain benefits from other Federal Agencies, such as the Office of Personnel Management, Social Security, and the Veterans Administration (5 USC 8116). At times, benefits may be reduced.
- 4) Compensation must be adjusted to reflect any settlement from a third party responsible for the injury for which the claimant is being paid compensation (5 USC 8132).
- 5) An individual convicted of any violation related to fraud in the application for, or receipt of, any compensation benefit, forfeits (as of the date of such conviction) any entitlement to such benefits, for any injury occurring on or before the date of conviction (5 USC 8148 (a)).

- 6) No Federal compensation benefit can be paid to any individual for any period during which such individual is incarcerated for any felony conviction (5 USC 8148 (b)(1)).

In accordance with 20 CFR 10.528, OWCP periodically requires each employee who is receiving compensation benefits to complete an affidavit as to any work, or activity indicating an ability to work, which the employee has performed for the prior 15 months. If an employee, who is required to file such a report fails to do so within 30 days of the date of the request, his or her right to compensation for wage loss under 5 USC 8105 or 8106 is suspended until OWCP receives the requested report. At that time, OWCP will reinstate compensation retroactive to the date of suspension if the employee remains entitled to compensation.

Reference: <https://www.dol.gov/owcp/dfec/regs/statutes/feca.htm>

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.

The information collected through the CA-1032 is used to see that compensation being paid on the periodic roll is correct. The claimant is providing information about earnings, status of dependents, advice regarding any third party settlement, and details of any other Federal benefits that they are receiving. Without this information, claimants might receive compensation to which they are not entitled, resulting in an overpayment of compensation.

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 (e.g., permitting electronic submission of responses) and the basis for the decision to adopt this means of collection. Also, describe any consideration of using information technology to reduce burden.

Each year, during a claimant's birth month, OWCP sends a paper version of the CA-1032 for the claimant to complete. The claimant must complete and submit the CA-1032 within the program's established timeframe to avoid suspension of benefits. Claimants have three options to return the CA-1032: (1) mail the completed form to OWCP; (2) complete the form and upload into their individual case record via a web-based application, Employee Compensation Operations and Management Portal (ECOMP); or (3) electronically file the CA-1032 via ECOMP (a new option that OMB approved in May 2023). This electronic feature is internet based and there is no cost to the claimant.

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 A.2 above.

This information is not duplicated anywhere else in the FEC program or Federal sector. While the Internal Revenue Service and the Social Security Administration have some earnings information, their information is not sufficiently current or complete for determining a claimant's entitlement to ongoing compensation. In addition, information from the IRS is not available without the claimant's written authorization, which OWCP cannot require.

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

This information collection does not have a significant economic impact on a substantial number of 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.

Please refer to No. 1 and No. 2. If this information collection was less frequent, erroneous compensation payments may be made, resulting in overpayments. Experience shows that once an overpayment occurs, it is very difficult and costly to recover the overpaid funds.

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 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 secret, 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 for conducting this information collection.

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 CFR 1320.8(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 by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe 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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A notice inviting public comment on this information collection was published in the Federal Register on June 7, 2023 (88 FR 37288). Comments were not received. OWCP has not consulted with the public for this specific ICR. We are in the process of reviewing all our ICR requirements and implementing procedures to comply with M-22-10 by FY-2024.

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

No payment or gifts are provided to respondents.

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

All information contained in FECA claim files is fully protected under the Privacy Act of 1974, the system of records known as DOL/GOVT-1 (Office of Workers' Compensation Programs, Federal Employees' Compensation Act File). The claim forms that are used by an injured employee when initiating a compensation claim contain a statement advising the claimant of the provisions of the Privacy Act. The applicable Privacy Act system of records is DOL/GOV-1 at website:

Reference: <https://www.dol.gov/sol/privacy/dol-govt-1.htm>

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

While the information collected from beneficiaries may be considered sensitive, it is all necessary to ensure they receive proper payments, as explained in item 1 of this supporting statement. The information collection cover letter explains the need to the claimant who is asked to provide the information.

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. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.¹**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**

¹ Indicate the retention period for any recordkeeping requirements that pertain to the ICR.

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden Hours (rounded)	Hourly Rate	Monetized Value of Respondent Time (rounded)
CA-1032	33,372	1	33,372	0.33	11,013	\$28.82	\$317,395

Number of Respondents: The number of respondents (33,372) is based on the submissions of the form for FY 2020 to FY 2022.

Burden Hours: It is estimated that it will take approximately 0.33 burden hours to prepare each form which is calculated as follows:

The hours are calculated at $33,372 \times 0.33$ response time = 11,012.76 hours or 11,013 rounded

Monetized Value of Respondent Times: Because the wage category of most of the respondents is not known, we have estimated the cost of the burden hours using the National Average Weekly Wage for non-supervisory workers on private non-agriculture payrolls as computed by BLS, or \$28.82 per hour.² The hourly rate of \$28.82 x burden hours of 11,013 equates to \$317,394.66 or \$317,395 rounded as the monetized value.

Reference: <https://www.bls.gov/news.release/empsit.t24.htm>

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a**

² This average hourly wage is based on the most recent non-preliminary data, June 2023.

total operation, maintenance and purchase of service component.

The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.**

There are no start-up costs. The only operation and maintenance cost is for postage and envelopes, which is based on \$0.69 (\$0.66 postage and \$0.03 envelope). It is estimated that 69% of respondents will use the mail option, while 31% will use the option to electronically upload/submit responses via ECOMP.

Total mailed responses = 23,026.68 (33,372 x 69%) = 23,027 rounded
Total electronic responses = 10,345.32 (33,372 x 31%) = 10,345 rounded
Total (23,027 + 10,345) = 33,372

Respondent Cost using mail option for submission of the CA-1032

Total Cost for mailed responses = \$15,888.63 [\$0.66 (postage) + \$0.03 (envelopes)] x 23,027 (forms) = \$15,889 rounded

14. Provide estimates of the annualized cost 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. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

Letter	Number of Respondents	Time to Review (Hours)	Total Respondents	Average Hourly Rate	Cost (rounded)
CA-1032	33,372	.25	33,372	\$46.30	\$386,280

Federal Cost Estimate:

Mailing and Envelope Cost: 33,372 X \$.66 (\$0.63 metered postage + \$0.03 envelope) = \$22,025.52 or \$22,026 rounded.

Review Cost: time to review each form - 0.25 hour

Hourly wages of reviewer GS-12/6 at \$46.30

$33,372 \times .25 \times \$46.30 = \$386,280.09$ or \$386,280 rounded.

Reference: [SALARY TABLE 2023-RUS \(opm.gov\)](https://www.opm.gov/policy-data-oversight/salary/)

ECOMP Cost: The ECOMP cost was \$285,000 for FY 2021. There are 35 forms which require OMB approval which can be downloaded through ECOMP. These forms are CA-2a, CA-5, CA-5b, CA-7, CA-12, CA-15, CA-16, CA-17, CA-20, CA-40, CA-41, CA-42, CA-155, CA-278, CA-721, CA-722, CA-1027, CA-1031, CA-1032, CA-1074, CA-1087, CA-1090, CA-1108, CA-1122, CA-1143, CA-1305, CA-1331, CA-2231, OWCP-5a, OWCP-5b, OWCP-5c, OWCP-16, OWCP-17, OWCP-20, and OWCP-44. The ECOMP figure used was based on the average cost for each of those collections, or 1/35 of \$285,000, which is \$8,142.86, or \$8,143 rounded.

Total Federal Cost Estimate: \$416,449

Description	Cost
Mailing and Envelope Costs	\$ 22,026

Review Costs	\$386,280
Annual ECOMP Track Pricing Hosting	\$ 8,143
Total	\$416,449

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

The previous approved number of annual respondents, 37,056 is now 33,372 which represents a decrease of 3,684. The decrease in number of respondents is due to less claims being received and filed due to COVID and personnel working from home. As a result, there was a decrease in the number of claimants receiving compensation on the periodic roll. This resulted in attendant decreases to the total number of responses, burden hours, and cost to the federal government. The previously approved number for burden hours was 12,228 the requested number now is 11,013, a decrease of 1,215 hours. The previous cost to the federal government was \$426,539 and is now \$416,449, a decrease of \$10,090. Due to the increase in postage, the annual cost to respondents increased despite the decreased number of respondents. The previous approved cost was \$15,030, and the cost requested now is \$15,889.

We made a minor change to Part B in the Volunteer section of the form for clarity:

Current version PART B--VOLUNTEER WORK

During the past 15 months, did you perform any volunteer work including volunteer work for which ANY FORM of monetary or in-kind compensation was received?

Revised version PART B--VOLUNTEER WORK

During the past 15 months, did you perform any volunteer work including unpaid volunteer work or volunteer work for which ANY FORM of monetary or in-kind compensation was received?

There were also minor changes to the Privacy Act and Public Burden statements for clarification purposes.

16. For collections of information whose results will be published, outline plans for tabulations, 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.

Data collected with these forms will not be published.

Request for Information on Earnings, Dual Benefits, Dependents and Third Party Settlement
OMB Control Number: 1240-0016
OMB Expiration Date: November 30, 2023

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

The form will display the expiration date.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

Statistical methods are not used in these collections of information.