

# SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

## FMCS Training Evaluation OMB NO. 3076-XXXX

### Supporting Statement

#### A: Justification

**1. *Circumstances that make the collection of information necessary.***

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

Consistent with requirements in the Government Performance and Results Act of 1993 (GPRA) (Pub. L. 103-62; 107 Stat. 285, Aug. 3, 1993), Federal Mediation and Conciliation Services (FMCS) evaluates the instructions it delivers, through a range of courses or events, to train individuals and groups. FMCS training is specifically designed to meet the real-world challenges of attendees. The courses include, but are not limited to, Arbitrating in the Federal Sector, Arbitration for Advocates – Federal Sector; Arbitration for Advocates, Becoming a Labor Arbitrator, Dealing with Difficult People, Evidence and Witness examination in Arbitration, Mediation Skills, and Negotiation Skills. FMCS provide attendees the opportunity to interact with and learn from experienced mediators. The participants are “FMCS attendees.” FMCS is initiating this information collection to obtain valuable feedback about the extent to which FMCS attendees are satisfied with their learning experience. Feedback will be used to improve the course curriculum and course of instruction. Evaluating and improving the effectiveness and efficiency of instructional programs supports agency requirements, as dictated by GPRA, to improve government performance management.

**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.***

FMCS has developed a list of 34 questions for this information collection that will capture ratings and written comments from FMCS attendees about the quality of the training. FMCS will select up to 10 questions from the question list for each implemented survey. FMCS intends to collect the evaluation data to determine attendees’ satisfaction with their learning experience and will use the data to improve the course curriculum and course of instruction. FMCS, where appropriate, will also use the data to provide Continuing Legal Education Credits to attendees, who have attended the training.

**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 for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.***

The information will be collected electronically. In compliance with the Government Paperwork Elimination Act, all attendees will submit ratings and written comments electronically through Survey Monkey or Microsoft Form accessible only by authorized personnel.

**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.**

This information is not available through any other source as it is tailored to FMCS instruction and curriculums. The goal of the collection is to obtain information from attendees, for the sole purpose of improving course instruction and curriculums.

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

This collection will not have a significant impact on a substantial number of small businesses or other 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.**

This information will be collected from attendees to provide constructive feedback about their experience and where appropriate, to provide Continuing Legal Education credits. Each attendee who successfully completes the training will provide as much or as little feedback as he or she deems necessary. The collection of this data enables FMCS to perform an analysis to determine how well the training objectives are being met to ensure proper fulfillment of FMCS mission. This information enables FMCS to update, improve, and tailor the training, curriculum, and instructor interaction for optimal education and high-quality instruction. Training development personnel compile the collected data into quarterly assessments of the overall quality of the training environment. If this collection were not conducted, FMCS would be limited in its ability to perform the analysis mentioned above, which relies on FMCS's ability to qualitatively evaluate training effectiveness.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d) (2).**

This collection will be conducted consistent with the general information guidelines.

**8. Consultation.**

***If applicable, 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.***

FMCS published a notice in the *Federal Register*, with a 60-day period for soliciting comment, see 87 FR 63776 (October 20, 2022), and a 30-day notice, on January 09, 2023 (88 FR 1229). FMCS received no comments in reply to the notices.

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

FMCS will not provide any payment or gift to respondents.

**10. *Describe any assurance of confidentiality provided to respondents.***

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

FMCS does not provide an assurance of confidentiality. However, when an attendee submits the completed form, the data will be stored securely in the Microsoft Azure Government Commercial Cloud (GCC). Personally Identifiable Information will not be requested on these surveys, and the data will be stored on the GCC with an identification number completely disconnected from the individual's information. No Privacy Information Act or System of Records Notice coverage is necessary for this information collection.

**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.***

FMCS will not ask any questions of a sensitive or private nature on the survey.

**12. *Provide estimates of the hour burden of the collection of information.***

FMCS estimates that on average, there will be 1,500 annual attendees who will attend training with an expected response rate of 35% to this collection, a total of 525 respondents. FMCS estimates that it would take approximately 2 minutes (0.0333 hours) to participate, resulting in an estimated average annual burden of 17.5 hours (525 attendees x 0.0333 hours).

The cost burden is calculated by multiplying the hours by the average hourly wage rate of the participants. The national average fully loaded hourly wage for respondents is \$31.94.<sup>1</sup>

FMCS multiplies this total average annual hour burden of 17.5 hours by a fully loaded wage rate of \$31.94 to estimate an average annual hour burden cost of \$558.95. FMCS estimates the three-year total hour burden cost of \$1,676.85.

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<sup>1</sup> FMCS uses the average hourly wage of \$31.94 for [respondents]. B.L.S, April 2023.

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

There is no cost burden to respondents for this collection of information.

**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.**

FMCS uses the fully loaded average hourly wage rate of \$53.85 to estimate FMCS employee cost to either compile the data for management review or to review the entirely accumulated package.<sup>2</sup>

FMCS estimates that it will take one Federal employee to review annually with 12 number of reviews annually at a time burden of 0.16666 hours to review. FMCS estimates that the annual hour burden cost to the Federal Government because of this ICR is approximately \$107.70 (\$53.85 hourly loaded wage \* 1 reviewer \* 0.1666 hours \* 12 number of reviews annually).

**15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.**

This is a new collection so there are no program changes or adjustments.

**16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis and publication.**

FMCS will not publish results of this collection.

**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.**

FMCS will not seek such approval.

**18. Explain each exception to the certification statement.**

FMCS will not seek any exception to the certification statement.

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<sup>2</sup> FMCS estimates a Grade 13 employee at Step 1 will administer and manage the survey review with an hourly salary of \$53.85.