

Justification
Self-Employment/Corporate Officer Work and Earnings Monitoring
RRB Form G-252

1. Circumstances of information collection – Section 2 of the Railroad Retirement Act (RRA) (45 U.S.C. 231) provides for the payment of age and service, disability, and supplemental annuities to qualified employees. After an annuitant begins receiving an annuity, Section 2 also provides that an annuity is not payable or is reduced for any month in which the annuitant works for a railroad or earns more than prescribed dollar amounts from either nonrailroad employment or self-employment. Certain types of work may indicate an annuitant's recovery from disability. The provisions relating to the reduction or nonpayment of annuities by reason of work and an annuitant's recovery from disability for work are prescribed in 20 CFR 220.17-220.20 and 220.160-164.

Some activities claimed by the applicant as “self-employment” may actually be employment for someone else (e.g., training officer, consultant, salesman). An applicant is not self-employed if working in an incorporated business since the corporation is the applicant's employer. These requirements are described in 20 CFR 216.

In addition, the Railroad Retirement Board (RRB) conducts continuing disability reviews (also known as a CDR) to determine whether the annuitant continues to meet the disability requirements of the law. Payment of disability benefits and/or a beneficiary's period of disability will end if medical evidence or other information shows that an annuitant is not disabled under the standards prescribed in section 2 of the RRA. Continuing disability reviews are generally conducted if (1) the annuitant is scheduled for a routine periodic review, (2) the annuitant returns to work and successfully completes a trial work period, (3) substantial earnings are posted to the annuitant's wage record or (4) information is received from the annuitant or a reliable source that the annuitant has recovered or returned to work. Provisions relating to when and how often the RRB conducts disability reviews are prescribed in 20 CFR 220.186.

2. Purposes of collecting/consequences of not collecting the information - The RRB utilizes **Form G-252, Self-Employment/Corporate Officer Work and Earnings Monitoring**, to determine entitlement or continued entitlement to a disability annuity. The RRB requests disability annuitants complete Form G-252 when disability annuitants who claim to be self-employed or a corporate officer or when the RRB determines the annuitant to be self-employed or a corporate officer after a continuing disability review. Form G-252, is a supplemental form to the AA-4, *Self-Employment Application* (OMB No. 3220-0138), and obtains additional information from an annuitant who claimed to be self-employed or to be a corporate officer on Form AA-4. It also is used with initial disability applications, early Medicare applications, applications for a period of disability (disability freeze), as well as continuing disability review determinations, including determinations prompted by a report of work, return to railroad service, allegations of medical improvement, or routine disability review call-up. The information collected is used to determine initial/continuing entitlement to, and the amount of, the annuity.

Form G-252 is self-administered. An RRB office releases the form to the applicant. Instructions for completing and returning the form are provided on Form RL-252, *Cover Letter for Form G-252*, which is mailed with the Form G-252. The applicant is required to return the completed form to RRB headquarters in the pre-addressed envelope provided for that purpose.

The RRB proposes no changes to Form G-252.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – This information collection does not allow for electronic submission as described in the Government Paperwork Elimination Act (GPEA). Currently it is not effective due to low volume; however, we will reevaluate after the completion of the RRB IT Modernization project.
4. Efforts to identify duplication – The Social Security Administration (SSA) collects similar information on Form SSA-820-BK (OMB No. 0960-0598). While the information collected may be similar, the RRB is governed by the Railroad Retirement Act (RRA). The respondents for this information collection are different from the respondents that complete the SSA form. Additionally, the RRA uses different criteria than the criteria used by SSA to determine if work is classified as self-employment or regular employment.
5. Small business respondents – N.A.
6. Consequences of less frequent collection – N.A.
7. Special Circumstances – None
8. Public Comments/consultations outside the agency – In accordance with 5 CFR 1320.8(d), comments were invited from the public regarding the information collection. The notice to the public was published on page 2260 of the January 12, 2024, Federal Register. No requests for further information or comments were received.
9. Payments or gifts to respondents – None
10. Confidentiality – Privacy Act System of Records, RRB-22, Railroad Retirement, Survivor and Pensioner Benefit System. An RRB Privacy Impact Assessment that includes RRB-22 can be found at the following link: <https://www.rrb.gov/sites/default/files/2017-06/PIA-BPO.pdf>.
11. Sensitive questions – N.A.
12. Estimate of respondent burden - The current estimated annual burden for this collection has changed. Please see the current burden below:

Current Burden

Form Number	Annual Responses	Time (Minutes)1/	Burden (Hours)
G-252	100	45	75
Total	100		75

Proposed Burden

Form Number	Annual Responses	Time (Minutes) ^{1/}	Burden (Hours)
G-252	15	20	5
Total	15		5

^{1/}The RRB has been collecting the information on these forms since OMB approved the information collection. Based on a sampling done when the form was originally created, the office calculated the estimated time, which includes time for getting the needed data and reviewing the completed form.

13. Estimated costs to respondents or record keepers – N/A
14. Estimated cost to the Federal Government – N/A
15. Explanation for change in burden –The burden in completing these forms changed due to the decrease in the amount of disability applications received by the RRB. Also, the RRB has made enhancements in how it electronically tracks and stores completed forms, which allows the agency to provide more accurate burden estimates compared to prior OMB justification submittals.
16. Time schedule for data collection and publication – The results of this collection will not be published.
17. Request not to display OMB expiration date - The RRB started an extensive multi-year IT Modernization Initiative at the beginning of Fiscal Year 2019 to transform our operations into the 21st Century using multiple contractor services to improve mission performance, expand service capabilities, and strengthen cybersecurity. We provided OMB with a consolidated project timeline.

Given that the forms in this collection are seldom revised; the costs associated with redrafting, reprinting, and distributing forms to keep the appropriate OMB expiration date in place; and our desire to reevaluate after the completion of the modernization project, the RRB requests the authority to not display the expiration date on the forms.
18. Exceptions to Certification Statement - None.