

Justification  
**Employee Representative's Status and Compensation Reports**  
 RRB Form DC-2

1. Circumstances of information collection - Under section 1(b)(1) of the Railroad Retirement Act (RRA) (45 U.S.C. 231b) the term "employee" includes an individual who is an employee representative. As defined in Section 1(c) of the RRA, an employee representative is:

- an officer or official representative of a railway labor organization other than a labor organization included in the term "employer," as defined in the RRA, who before or after August 29, 1935, was in the service of an employer under the RRA and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, or
- any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his or her office.

The information collection requirements relating to the application for employee representative status and the periodic reporting of the compensation resulting from such status is contained in 20 CFR 209.10.

2. Purposes of collecting/consequences of not collecting the information – Form DC-2 obtains the information needed by the Railroad Retirement Board (RRB) to determine if an individual qualifies as an employee representative and if so, also provides a record of their creditable service and compensation.

**RRB Form DC-2, Employee Representative's Report of Compensation**, is used by the RRB to obtain the annual creditable service and compensation resulting from the individual's employee representative activities. The service and compensation is the same as that obtained for an employee who worked for a covered employer, and as reported on Form BA-3, *Annual Report of Creditable Compensation*, OMB No. 3220-0008. The information is used to update the record of service and compensation maintained by the RRB for the employee representative for the purpose of paying benefits to that individual due under law. Form BA-3 also makes provision for reporting Railroad Unemployment Insurance Act Creditable Compensation, which is not included on Form DC-2.

At the beginning of each calendar year the RRB's Compensation and Employer Services Center (CESC) sends Form DC-2 directly to employee representatives along with a cover letter which is annually updated to provide current tax information and instructions relating to the reporting of compensation information to the RRB. The form, which has instructions printed on its reverse side, is then self-administered. Once completed, the DC-2 is returned to CESC using a pre-addressed return envelope included for that purpose.

**The RRB proposes a minor change to address in the Paperwork Reduction Act Notice section to Form DC-2.**

3. Planned use of improvement information technology or technical/legal impediments to further burden reduction – Due to agency technology limitations, this information collection does not allow for electronic submission as described in the Government Paperwork

Elimination Act (GPEA). However, we will reevaluate electronic signatures after the completion of our IT Modernization project.

- 4. Efforts to identify duplication - To our knowledge, no other agency uses a form similar to Form DC-2 and this information collection does not duplicate any other RRB information collection.
- 5. Small business respondents - N.A.
- 6. Consequences of less frequent collection – If Form DC-2 is not obtained erroneous crediting of service and compensation could result.

Obtaining the service and compensation less frequently than once a year would result in the RRB not having up-to-date information and thereby an increased chance of incomplete or inaccurate information.

- 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 this information collection. The notice to the public was published on page 30994 of July 11, 2025, Federal Register. No comments or requests for additional information were received.
- 9. Payments or gifts to respondents - N.A
- 10. Confidentiality - Privacy Act System of Records, RRB-5, Master File of Creditable Service and Compensation of Railroad Employees. In accordance with OMB Circular M-03-22, a Privacy Impact Assessment for this information collection was completed and can be found at <https://www.rrb.gov/sites/default/files/2017-06/PIA-BPO.pdf>.
- 11. Sensitive questions - N.A.
- 12. Estimate of respondent burden – The current burden estimate for this information collection is unchanged as follows:

**Current Burden**

Form Number	Annual Responses	Time (Minutes) <sup>1/</sup>	Burden (Hours)
DC-2	82	30	41
Total	82		41

<sup>1/</sup>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 annual cost to respondents or record keepers - N.A.
- 14. Estimate of cost to Federal Government - N.A.

15. Explanation for change in burden – N.A.
16. Time schedule for data collections and publications - 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 and modernization is still in progress. The RRB hired a new CIO on November 4, 2024 who will be briefed on the modernization initiative status and if requested, the RRB will provide OMB with any updates to the 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