

# SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

FMCS FORM R-22  
OMB NO. 3076-0001

## Supporting Statement A: Justification

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

Title II of the Labor Management Relations Act of 1947, 29 U.S.C. § 171(b), provides that “the settlement of issues between employers and employees through collective bargaining may advance by making available full and adequate governmental facilities for conciliation, mediation, and voluntary arbitration ...” Pursuant to the statute and 29 CFR part 1404, FMCS has long maintained a roster of qualified, private sector labor arbitrators to hear disputes arising under collective bargaining agreements and provide fact finding and interest arbitration. The existing regulation establishes the policy and administrative responsibility for the FMCS roster, criteria, procedures for listing and removing arbitrators, and procedures for using arbitration services.

### 2. By whom, how, and for what purpose the information is to be used.

The FMCS uses the information received from arbitrator applicants to evaluate the credentials of the applicants and determine an arbitrator’s suitability for inclusion on FMCS’ roster of arbitrators.

### 3. Consideration of the use of improved information technology.

FMCS receive forms electronically through its public web site. Forms received electronically are simpler and faster for the FMCS to process and reduce postage and handling costs. Applicants must supply the requested information in order for the FMCS to successfully evaluate the credentials of the applicants for inclusion on FMCS’ roster of arbitrators.

### 4. Efforts to identify duplication.

The FMCS Form R-22 is the only form used to collect information pursuant to 29 U.S.C. § 171(b) and 29 CFR Part 1404 and no other entity collects comparable data.

**5. Methods to minimize the burden to small businesses if involved.**

The form is short and seeks only necessary information to ease the time burden on small businesses.

**6. Consequences to the Federal program if collection were conducted less frequently.**

The form is completed only once and updated by applicants as necessary. Accordingly, there are no special consequences to the Federal program if the collection is conducted less frequently.

**7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent to the guidelines.**

There are no special circumstances regarding the collection of this information that would cause the information collection to be conducted in a manner inconsistent with the guidelines.

**8. Consultation.**

The notice published in the **Federal Register** soliciting comments can be found at 90 FR 21480. One public comment was received. FMCS responded to the public comment indicating the current ICR and the present renewal efforts are compliant with the paperwork reduction act and all laws and regulations. FMCS regularly communicates with applicants and newly admitted arbitrators regarding the application form and the updates are largely based on feedback we have received from them. These communications take place throughout the year, each time an application is submitted, which typically occurs 10 to 20 times each year.

**9. Explain any decision to provide any payment of gift to respondents.**

The FMCS does not provide any payment or gift to respondents.

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

The FMCS provides respondents with assurance of confidentiality pursuant to 29 U.S.C. § 172, et seq.

**11. Additional justification for any questions of a sensitive nature.**

There are no questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, or other matters that are commonly considered private.

**12. Estimates of reporting and recordkeeping hour and cost burdens of the collection of information.**

Approximately 50 respondents send applications to FMCS each fiscal year. The annual time burden is an estimated 125 hours, approximately 2 hours for reporting and .50 hours for record keeping purposes.

**13. Estimates of annualized capital and start-up costs.**

The pro-rated annualized capital cost is \$38,571. This figure represents the straight-line depreciation cost of the initial form configuration on the FMCS web site.

**14. Estimates of annualized Federal Government Costs.**

The estimated annualized cost to the government of \$19,330 includes: \$17,466 for administrative and operational support and \$1,864 for system maintenance.

**15. Explain the reasons for the change in burden.**

There is not a change in burden associated with this form.

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

FMCS publishes each year a summary of the number of applications it receives in its performance accountability report (PAR).

**17. Explain the reasons for seeking not to display the expiration date for OMB approval of the information of collection.**

There is no objection to display an OMB expiration date.

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

There is no exception to the certification statement.