



BILLING CODE: 4510-CP-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Federal Transit Act Urban Program Transit Worker Protections

AGENCY: Office of the Secretary, Labor.

ACTION: Notice.

SUMMARY: On March 31, 2017, the Department of Labor (DOL) will submit the Office of Labor Management Standards (OLMS) sponsored information collection request (ICR) titled, "Federal Transit Act Urban Program Transit Worker Protections," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before May 1, 2017.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201701-1245-003](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201701-1245-003) (this link will only become active April 1, 2017) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OLMS, Office of Management and Budget, Room 10235, 725 17th Street, N.W., Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue, N.W., Washington, D.C. 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

AUTHORITY: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authorization for the information collection requirements needed for the OLMS to administer Federal Transit Act Urban Program worker protections. See 49 U.S.C. 5333(b). The Federal Transit Act Urban Program provides that the DOL must ensure that a recipient of Federal funds used to acquire, improve, or operate a transit system establishes arrangements to protect the rights of affected transit employees. Federal law requires such an arrangement to be fair and equitable, and the DOL must certify the arrangement before the U.S. Department of Transportation, Federal Transit Administration (FTA) can award certain funds to grantees. An employee protective arrangement must include provisions that may be necessary for the preservation of rights, privileges, and benefits under existing

collective bargaining agreements or otherwise; the continuation of collective bargaining rights; the protection of individual employees against a worsening of their positions related to employment; assurances of employment to employees of acquired transportation systems; assurances of priority of reemployment of employees whose employment is ended or who are laid off; and paid training or retraining programs. See 49 U.S.C. 5333(b)(2).

Pursuant to regulations 29 CFR part 215, upon receipt of copies of applications for Federal assistance subject to 49 U.S.C. 5333(b) from the FTA, together with a request for DOL certification of employee protective arrangements, the DOL processes those applications, which must be in final form. The FTA provides the DOL with information necessary to enable the DOL to process employee protections for certification of the project. Federal Transit Act section 13(c) authorizes this information collection. See 49 U.S.C. 5333(b).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1245-0006.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on March 31, 2017. The

DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the Federal Register on January 30, 2017 (81 FR 8766).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the ADDRESSES section within thirty (30) days of publication of this notice in the Federal Register. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1245-0006.

The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-OLMS.

Title of Collection: Federal Transit Act Urban Program Transit Worker Protections.

OMB Control Number: 1245-0006.

Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 1,873.

Total Estimated Number of Responses: 1,873.

Total Estimated Annual Time Burden: 14,984 hours.

Total Estimated Annual Other Costs Burden: \$0.

Dated: March 27, 2017.

Michel Smyth,

Departmental Clearance Officer.

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