



## RAILROAD RETIREMENT BOARD

### **Agency Forms Submitted for OMB Review, Request for Comments**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

*Title and purpose of information collection:* Availability for Work; OMB 3220-0164.

Under Section 1(k) of the Railroad Unemployment Insurance Act (45 U.S.C. 231k), unemployment benefits are not payable for any day for which the claimant is not available for work.

Under Railroad Retirement Board (RRB) regulation 20 CFR 327.5, "available for work" is defined as being willing and ready for work. A claimant is "willing" to work if willing to accept and perform for hire such work as is reasonably appropriate to his or her employment circumstances. A claimant is "ready" for work if he or she (1) is in a position to receive notice of work and is willing to accept and perform such work, and (2) is prepared to be present with the customary equipment at the location of such work within the time usually allotted.

Under RRB regulation 20 CFR 327.15, a claimant may be requested at any time to show, as evidence of willingness to work, that reasonable efforts are being made to obtain work. In order to determine whether a claimant is; a) available for work, and b) willing to work, the RRB utilizes Forms UI-38, UI Claimant's Report of Efforts to Find Work, and UI-38s, School Attendance and Availability Questionnaire, to obtain information from the claimant and Form ID-8k, Questionnaire - Reinstatement of Discharged or Suspended Employee, from the union representative. One response is completed by each respondent.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (85 FR 76629 on November 30, 2020) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

**Information Collection Request (ICR)**

Title: Availability for Work

OMB Control Number: 3220-0164

Form(s) submitted: UI-38, UI-38s, and ID-8k

Type of request: Extension without change of a currently approved collection

Affected public: Individuals or Households, Non-profit institutions

Abstract: Under Section 1(k) of the Railroad Unemployment Insurance Act, unemployment benefits are not payable for any day in which the claimant is not available for work. The collection obtains information needed by the RRB to determine whether a claimant is willing and ready to work.

Changes proposed: **The RRB proposes no changes to Forms UI-38, UI-38s, and ID-8k.**

The burden estimate for the ICR is as follows:

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
UI-38s (in person)	59	6	6
UI-38s (by mail)	119	10	20
UI-38	3,485	11.5	668
ID-8k	6,461	5	538

<b>Total</b>	10,124		1,232
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*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Kennisha Tucker at (312) 469-2591 or [Kennisha.Tucker@rrb.gov](mailto:Kennisha.Tucker@rrb.gov). Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-1275 or [Brian.Foster@rrb.gov](mailto:Brian.Foster@rrb.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function.

Brian Foster,  
Clearance Officer.

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