

e.g., permitting electronic submission of responses.

*Agency:* Occupational Safety and Health Administration.

*Title of Collection:* Vertical Tandem Lifts for Marine Terminals.

*OMB Control Number:* 1218-0260.

*Affected Public:* Private Sector—Businesses or other for-profits.

*Total Estimated Number of Respondents:* 510.

*Total Estimated Number of Responses:* 510.

*Total Estimated Annual Burden Hours:* 2000.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: November 22, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011-30619 Filed 11-28-11; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request; Requirements of a Bona Fide Thrift or Savings Plan and Requirements of a Bona Fide Profit-Sharing Plan or Trust**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Wage and Hour Division (WHD) sponsored information collection request (ICR) titled, “Requirements of a Bona Fide Thrift or Savings Plan and Requirements of a Bona Fide Profit-Sharing Plan or Trust,” to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

**DATES:** Submit comments on or before December 29, 2011.

**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 from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor, Wage and Hour Division (WHD), Office

of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* (202) 395-6929/*Fax:* (202) 395-6881 (these are not toll-free numbers), *email:* [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

#### **FOR FURTHER INFORMATION CONTACT:**

Contact Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** This information collection applies to employers claiming the overtime exemption available under Fair Labor Standards Act section 7(e)(3)(b). Specifically, in calculating an employee's regular rate of pay, an employer need not include contributions made to a bona fide thrift or savings plan or a bona fide profit-sharing plan or trust—as defined in 29 CFR parts 547 and 549. Employers are required to communicate, or make available to the employees, the terms of the bona fide thrift or savings plan and bona fide profit-sharing plan or trust, and retain certain records.

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 if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1235-0013. The current OMB approval is scheduled to expire on November 30, 2011; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on May 16, 2011 (76 FR 28242).

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 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference OMB Control Number 1235-0013. 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:* Wage and Hour Division (WHD).

*Title of Collection:* Requirements of a Bona Fide Thrift or Savings Plan and Requirements of a Bona Fide Profit-Sharing Plan or Trust.

*OMB Control Number:* 1235-0013.

*Affected Public:* Private Sector—Businesses or other for profits, Farms, and Not-for-profit institutions.

*Total Estimated Number of Respondents:* 1,034,112.

*Total Estimated Number of Responses:* 589,444.

*Total Estimated Annual Burden Hours:* 328.

*Total Estimated Annual Other Costs Burden:* \$0.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011-30686 Filed 11-28-11; 8:45 am]

**BILLING CODE 7510-13-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request; Work Opportunity Tax Credit and Welfare-to-Work Tax Credit**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, “Work Opportunity Tax Credit and Welfare-to-Work Tax Credit,” as proposed to be revised to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork

Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*).

**DATES:** Submit comments on or before December 29, 2011.

**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 from the *RegInfo.gov* Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, *Attn:* OMB Desk Officer for the Department of Labor, Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* (202) 395-6929/*Fax:* (202) 395-6881 (these are not toll-free numbers), *email:* [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** This ICR is for the Tax Credit Program administration. Data and information provided under this ICR is used for program planning, evaluation of Program performance and outcomes through states' quarterly report and for oversight/verification activities as mandated by the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) section 11405(c), which indefinitely extended the \$5 million set-aside for testing whether individuals certified as members of Work Opportunity Tax Credit targeted groups are eligible for certification.

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 if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1205-0371. The current

OMB approval is scheduled to expire on November 30, 2011; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New information collection requirements would take effect only after OMB approval. For additional information, see the related notice published in the **Federal Register** on September 9, 2011 (76 FR 55946).

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 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference OMB Control Number 1205-0371. 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:* Employment and Training Administration (ETA).

*Title of Collection:* Work Opportunity Tax Credit and Welfare-to-Work Tax Credit.

*OMB Control Number:* 1205-0371.

*Affected Public:* Individuals or Households; Private Sector—Businesses or other for profits and not-for-profit institutions; and State, Local, and Tribal Governments.

*Total Estimated Number of Respondents:* 990,052.

*Total Estimated Number of Responses:* 2,420,612.

*Total Estimated Annual Burden Hours:* 847,909.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: November 22, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011-30655 Filed 11-28-11; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-74,593]

#### **Whirlpool Corporation, Including On-Site Leased Workers From Career Solutions TEC Staffing, Andrews International, IBM Corporation, TEK Systems Penske Logistics, Eurest, Canteen, Kelly Services, Inc., Prodriver, and Arkansas Warehouse, Inc., Fort Smith, AR; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on October 6, 2010, applicable to workers of Whirlpool Corporation, including on-site leased workers from Career Solutions TEC Staffing, Fort Smith, Arkansas. The workers are engaged in the production of refrigerators and trash compactors. The notice was published in the **Federal Register** on October 25, 2010 (75 FR 65520). The notice was amended on December 6, 2010 to include on-site leased workers from Andrews International. The notice was published in the **Federal Register** on December 13, 2010 (75 FR 77665). The notice was amended on November 7, 2011 to include several on-site leased worker firms. The notice will be published soon in the **Federal Register**.

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The company reports that workers leased from Kelly Services, Inc., Prodriver, and Arkansas Warehouse, Inc. were employed on-site at the Fort Smith, Arkansas location of Whirlpool Corporation. The Department has determined that these workers were sufficiently under the control of Whirlpool Corporation to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Kelly Services, Inc., Prodriver, and Arkansas Warehouse, Inc. working on-site at the Fort Smith, Arkansas location of Whirlpool Corporation.