

**Labor Employer Reporting Instructions**  
**Part II - Establishment and Maintenance of Employee Records**  
**Chapter 5: Employee's Protest of Service and Compensation Record**

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**Purpose of Protest Form G-70**

An employee who believes the amount of service and/or compensation reported for his or her record is incorrect, should file a [Form G-70](#), Protest of Record of Service Months and Compensation, with the Railroad Retirement Board (RRB). Form G-70 is available from any local field office of the RRB, or employers may requisition them from the Bureau of Supply and Service, to provide to their employees. Requisitions are made using [Form G-615](#), Employer's Supply Requisition.

**Employee Protests to Employer**

If an employee contacts the employer about the service and compensation reported on [Form BA-6](#), the employer may handle the protest directly or may advise the employee to file a Form G-70 with the RRB.

**Supporting Evidence**

The completed Form G-70 should be accompanied by substantiating evidence, such as payroll records. If evidence is not submitted, the RRB has no basis on which to request an adjustment report if the employer does not agree with the claim for additional service or compensation. Forms W-2 are useful but not entirely conclusive as evidence for a claim because gross income may include amounts not creditable as Tier I and Tier II compensation.

**Processing the Protest on Form GL-129**

Upon receipt of Form G-70, or any other written protest of record reported by a labor organization, the RRB will release Form GL-129, Request for Verification of Service and Compensation, and if applicable, [Form GL-129a](#), Tracer Second request for Verification of Service and Compensation, to the NRO. The NRO must either correct the record with a Form BA-4, Report of Creditable Compensation Adjustment, or verify that the account is correct as reported.

**Form GL-129 on ERS**

Currently, Form GL-129 can also be submitted through the Employer Reporting System (ERS) on the Railroad Retirement Board's (RRB) Internet website. Instructions for registration and access to the ERS can be found in [Part VIII](#) of these instructions.

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**Reasons Why Protests Are Filed**

The following are common reasons that explain differences in service and compensation reported by the labor employer and that claimed by the employee:

- The employee claims service month credit for the months the employee worked but the employer incorrectly credited service only for the months in which compensation was paid. Compensation was correctly reported. The employer should file Form BA-4 to report service for the months the employee worked.
- The employee claims compensation credit for the year in which compensation was earned, but the employer reports compensation generally when paid. This protest should be considered a request by the employee to have his compensation adjusted to an earned basis, and a Form BA-4 should be filed. See [Part IV Chapter 1](#) for an explanation of reporting on an earned basis. See [Part V Chapter 4](#) for instructions on completing Form BA-4.
- The employee earned more than the maximum creditable compensation.

**Reconsideration Rights**

If the account is correct as reported, include a brief explanation with your response to the RRB, refuting the employee's claim. An explanation is important because an employee has reconsideration rights in protesting his or her record if he or she still believes the record is still incorrect, after our reply.