

Federal Labor Relations Authority

Annual Plain Writing Act Compliance Report covering Fiscal Year 2020

October 14, 2020

a. Senior Agency Official for Plain Writing:

- i. Aloysius Hogan, FLRA’s Senior Agency Official responsible for Plain Writing.
Phone: 202-218-7927. Email: ahogan@flra.gov.
- ii. Names of Plain Language coordinators within the agency:
 - 1) Anna Molpus: Authority-component coordinator.
Phone: 202-218-7742. Email: amolpus@flra.gov.
 - 2) Dan Duran: FSIP-component coordinator.
Phone: 2020-218-7753. Email: dduran@flra.gov.
 - 3) Cabrina Smith: OGC-component coordinator.
Phone: 202-218-7914. Email: csmith@flra.gov.

b. Explain what specific types of agency communications have you released by making them available in a format that is consistent with the Plain Writing guidelines.

	TYPE OF COMMUNICATIONS OR DOCUMENT OR POSTING. LIST HOW THIS IS MADE AVAILABLE TO THE PUBLIC.	WHO IS THE INTENDED USER AND APPROXIMATE NUMBER OF POTENTIAL USERS?	WHAT HAS CHANGED BY USING PLAIN WRITING?
1	Press Releases via email and website posting	Federal-agency employees; managers; union representatives; and other members of the public	More effective and clearer communication about important FLRA events, initiatives, and other announcements.
2	Authority Orders directed to party customers via email	Labor-relations practitioners; federal-agency employees; managers; and union representatives.	More effective communication and clearer information for parties regarding procedural matters in cases filed with the Authority.
3	Authority Decisions via email and website posting	Labor-relations practitioners; federal-agency employees; managers; union representatives; Federal-sector arbitrators; and other members of the public.	Following a decision-writing initiative (discussed in more detail below in Section III.c.), Authority decisions are now clearer and more effectively convey difficult legal concepts to

			<p>readers. The Authority has eliminated redundancies in its decisions by weaving the parties' arguments into the analysis portion of decisions, rather than initially setting forth the parties' arguments and then restating them in the analysis. By moving all legal citations to footnotes – instead of placing them in text – Authority decisions are now more readable because the citations do not interrupt the flow of sentences. Recitation of frequently applied legal standards and disposition of minor issues are increasingly relegated to footnotes so that the main text is more streamlined.</p>
4	<p>Authority Drafting Guide (Updated March 12, 2013, and on March 5, 2014) via email</p>	<p>Attorneys and labor-relations specialists who draft or review Authority decisions.</p>	<p>This 80-page drafting guide encourages clarity and uniformity in the way case-writing staff drafts and reviews Authority decisions. The guide sets forth the style, general formatting, and citation formatting that case-writing staff should use in Authority decisions. The guide specifically instructs case-writing staff to use plain writing where appropriate. And the guide also incorporates all of the decision-writing-initiative-recommendations (discussed in more detail below in Section III.c.) that the Members adopted.</p>
5	<p>Authority Guide to Arbitration (Updated September 30, 2016) via website posting</p>	<p>Labor-relations practitioners; federal-agency employees; managers; union representatives; federal-sector arbitrators; and other members of the public.</p>	<p>More effective communication and clearer guidance and information to parties and arbitrators regarding the arbitration process and their legal rights and responsibilities.</p>

6	Negotiability Guide (Issued June 17, 2013) via website posting	Labor-relations practitioners; federal-agency employees; managers; and union representatives; federal-sector arbitrators; and other members of the public.	More effective communication and clearer guidance and information to parties regarding the negotiability process and their legal rights and responsibilities.
7	FLRA eFiling Regulations (effective May 4, 2012) via email and website posting	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	More effective communication and clearer information regarding procedural requirements for electronically filing cases with the Authority, FSIP, and OGC.
8	OGC Guidance on Information Requests (October 2011) via website posting	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	The Guidance is a revision of previous guidance that issued on this topic. Using plain writing, it assists parties – both union and management –in determining their rights and obligations regarding information requests related to their collective-bargaining responsibilities under the Federal Service Labor-Management Relations Statute.
9	OGC Case Law Outline (February 2012, updated September 2020) via website posting	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	This legal research tool is the second edition that the OGC revised to incorporate plain writing. OGC employees and parties who appear before the FLRA are the primary users of this resource. This Outline, which incorporates plain-writing principles, and is available on the Agency website, is a very important tool for researching representation case issues.
10	Representation Case Law Outline (April 2013, updated September 2020) via website posting	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	This Outline, which incorporates plain-writing principles, makes it easy to research representation case issues.

11	Revision of Representation Regulations (Part 2422) and Unfair Labor Practice Regulations (Part 2423) via website posting	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	The OGC revised representation and unfair labor practice regulations to be consistent with the Plain Writing Act of 2010 guidelines.
12	External Publications – Agency Strategic Plan, Congressional Budget Justification, and Performance Review Report via email and website posting	The Public, OMB, and Congress.	In 2015, the Authority prioritized application of plain-language principles to these documents.
13	The Agency’s website – www.FLRA.gov – redesigned and launched a brand-new website (Agency-wide effort – Nov. 2015 through April 2016). Updates throughout 2020	The public, labor-relations practitioners, federal-agency employees, Congress, OMB.	Plain-language principles applied – active voice; improved organization by case types; visually engaging design, simplified global navigation, improved usability and search function, all-new substantive content, and a convenient training-registration tool.
14	OGC Dismissal Letters and Appeal Decisions via email	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	OGC strives to provide clearer bases for decision-making.
15	FSIP Decisions and Orders; Opinions and Decisions of Panel Arbitrators; and procedural-determination letters via email and website posting	Labor-relations practitioners; Federal-agency employees; managers; union representatives; the public.	FSIP consistently uses clear and concise communication.
16	Dispute Resolution Procedure Guide (Updated December 2015) via email	Labor-relations practitioners; Federal-agency employees; managers; union representatives; the public.	Substantively edited, incorporating plain-language principles in order to effectively communicate FSIP procedures and practices to users.
17	YouTube instructional videos (along with YouTube transcript) distributed via website and by press release	Labor-relations practitioners; Federal-agency employees; managers; union representatives; FLRA staff; the public.	Simple, straightforward language utilized to facilitate learning.

c. Inform agency staff of Plain Writing Act’s requirements:

[List the ways you’ve provided information on the Act to your staff.]

- i. Posted information about the Act on the agency intranet at www.flra.gov/plain_language.
- ii. Published an article on the Act and its requirements in the internal agency news bulletin in September of 2020.
- iii. Sent an email notice to employees about the June writing training put on by the Solicitor’s office.
- iv. Sent an email notice to employees about the September writing training put on by PLAIN.
- v. Wiki is a means of collaboration and communication within the OGC, including a page updated September, 2020, where the OGC’s seven-member Writing Committee will post the winners of the reactivated Quarterly Writing awards, the winner’s document, a Quick Reference Guide, and a page of quality documents where the writer used plain language.

d. Training

[Describe training efforts.]

- i. Agency provided the following trainings to agency employees:

Type of Training	Number of FLRA employees trained	Date
In house (Office of the Solicitor) – live training via internet	25 estimated	June 2020
PLAIN suspended training during the pandemic	0	
Webinar given by Chairman Kiko and Member Abbott emphasized the importance of clear writing and plain language in the FDR training conference	10 estimated (out of a total audience of approximately 250-500)	August 2020
Online training workshop hosted by Plain Language Community of Practice	20 estimated	September 2020

e. Ongoing compliance/Sustaining change

[List the ways you intend to stay in compliance with the Act.]

- i. Name of agency contact for compliance issues:
Aloysius Hogan

- ii. Documenting and reporting use of plain writing in agency communications:
Aloysius Hogan
- iii. Clearance process:
Each FLRA component (Authority, FSIP, and OGC) is responsible for developing a plain-writing clearance process for documents. This compliance report was reviewed by FLRA's Plain Language coordinators Anna Molpus, Dan Duran, and Cabrina Smith, as well as Deputy General Counsel Charlotte Dye and then approved by FLRA Chairman Colleen Duffy Kiko.

f. Agency's plain writing website

The FLRA's web page for the Plain Writing Act is:

- i. Website address https://www.flra.gov/plain_language
- ii. Contact us page [www....] https://www.flra.gov/plain_language
(EngagetheFLRA@flra.gov)
- iii. Implementation of the Act
 - 1) Documents covered by the Act:
As explained on www.flra.gov/plain_language, we must use plain language in any document that:
 - is necessary for obtaining any federal government benefit or service that we provide [[Authority Decisions](#), [Federal Service Impasse Panel Decisions](#), [Office of Administrative Law Judges Decisions](#), [Solicitor's Briefs and Court Decisions](#), and Office of General Counsel Decisions (unpublished)];
 - provides information about any federal government benefit or service ([FLRA Press Releases](#)); or
 - explains to the public how to comply with a requirement that the FLRA administers or enforces ([FLRA YouTube Instructional Videos, with transcripts](#), [Office of General Counsel's Representation Resources](#)).
 - 2) Timeline:
Plain Writing Act Compliance reports are filed annually. Individual case decisions occur as soon as practicable after cases are filed. Press releases are issued as events warrant. Instructional materials are created and updated on an as-needed basis, with the emphasis during the pandemic being on creating new videos.
- iv. Links to Compliance reports:
 - 1) [July 13, 2011](#)
 - 2) [April 12, 2012](#)
 - 3) [April 12, 2013](#)
 - 4) [April 16, 2014](#)
 - 5) [April 30, 2015](#)
 - 6) [April 22, 2016](#)

7) [June 23, 2017](#)

v. Links to OMB and PLAIN:

Both found on www.flra.gov/plain_language:

“The FLRA is committed to writing new documents in plain language, using the [Federal Plain Language Guidelines](#) and the [OMB implementation guidance on the Plain Writing Act of 2010](#).”

g. Customer Satisfaction Evaluation after Experiencing Plain Writing Communications

The FLRA invites the public to give us feedback on the FLRA’s implementation of its Plain-Writing Initiative using EngageTheFLRA@flra.gov. We will report on such feedback in future compliance reports. During the past year we have not received any feedback or inquiries.