

Federal Labor Relations Authority

Annual Plain Writing Act Compliance Report for Fiscal Year 2021

October 21, 2021

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) Melissa Wisniewski: Authority-component coordinator.
Phone: 202-218-7782. Email: mwisniewski@flra.gov.
 - 2) Dan Duran: FSIP-component coordinator.
Phone: 202-218-7753. 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 The Office of Legislative Affairs and Program Planning (OLAPP) sends press releases via email and posts them on the FLRA.gov website.	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 Consistent with 5 C.F.R. 2429.12(a), the Office of Case Intake and Publication (CIP) sends official orders out by first-class mail and fax.	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	<p>Authority Decisions Consistent with 5 C.F.R. 2429.12(a), the Office of Case Intake and Publication (CIP) sends official orders out by first-class mail and fax.</p>	<p>Labor-relations practitioners; federal-agency employees; managers; union representatives; Federal-sector arbitrators; and other members of the public.</p>	<p>Following a decision-writing initiative (discussed in more detail below), Authority decisions more effectively convey difficult legal concepts. 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) The Drafting Guide is posted on the Authority's intranet.</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 staffers draft and review Authority decisions. The guide sets forth the style, general formatting, and citation formatting for Authority decisions. The guide specifically instructs case-writing staffers to use plain writing where appropriate and incorporates all of the decision-writing-initiative-recommendations that the Members adopted.</p>
5	<p>Authority Guide to Arbitration (Updated September 30, 2016) The Guide to Arbitration is posted on the FLRA.gov website.</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	<p>Negotiability Guide (Issued June 17, 2013) The Negotiability Guide is posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; federal-agency employees; managers; and union representatives; federal-sector arbitrators; and other members of the public.</p>	<p>More effective communication and clearer guidance and information to parties regarding the negotiability process and their legal rights and responsibilities.</p>
7	<p>FLRA eFiling Regulations (effective May 4, 2012) The FLRA eFiling regulations are posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>More effective communication and clearer information regarding procedural requirements for electronically filing cases with the Authority, FSIP, and OGC.</p>
8	<p>OGC Guidance on Information Requests (October 2011) The OGC Guidance on Information Requests is posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>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.</p>
9	<p>OGC Case Law Outline (February 2012, updated September 2020) The OGC Case Law Outline is posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>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.</p>
10	<p>Representation Case Law Outline (April 2013, updated September 2020) This outline is posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>This outline, which incorporates plain-writing principles, makes it easy to research representation case issues.</p>

11	<p>Revision of Representation Regulations (Part 2422) and Unfair Labor Practice Regulations (Part 2423) These regulations are posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>The OGC revised representation and unfair labor practice regulations to be consistent with the Plain Writing Act of 2010 guidelines.</p>
12	<p>External Publications – Agency Strategic Plan, Congressional Budget Justification, and Performance and Accountability Report These publications are posted to the FLRA.gov website.</p>	<p>The Public, OMB, and Congress.</p>	<p>In 2015, the Authority prioritized application of plain-language principles to these documents.</p>
13	<p>The Agency’s website – www.FLRA.gov – redesigned and launched a brand-new website (Agency-wide effort – Nov. 2015 through April 2016). Updates throughout 2021</p>	<p>The public, labor-relations practitioners, federal-agency employees, Congress, OMB.</p>	<p>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.</p>
14	<p>OGC Dismissal Letters and Appeal Decisions Documents are served consistent with 5 C.F.R. 2429.12(a).</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives.</p>	<p>OGC strives to provide clearer bases for decision-making.</p>
15	<p>FSIP Decisions and Orders; Opinions and Decisions of Panel Arbitrators; and procedural-determination letters Pre-COVID-19 pandemic, via email and first-class mail. FSIP currently sends official documents via email only. D&O and O&D are also posted on the FLRA.gov website.</p>	<p>Labor-relations practitioners; Federal-agency employees; managers; union representatives; the public.</p>	<p>FSIP consistently uses clear and concise communication.</p>

16	Dispute Resolution Procedure Guide (Updated December 2015) This outline is posted on the FLRA.gov website.	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) OLAPP posts videos on the FLRA.gov website.	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 newsletter *In Session* in February of 2021, found at <https://intranet.flra.gov/sites/default/files/2021-2%20-%20In%20Session.pdf>.
- iii. Promoted to all staff a webinar on March 10, put on by the Plain Language Community of Practice and Digital.gov: *Learn how Plain Language and Accessibility Concerns intersect* - March 10, 2-3pm - [Register](#)
- iv. In April of 2021, pursuant to a Memorandum of Understanding between the FLRA’s union and management, commenced publishing winners of the Office of General Counsel’s writing award in the *In Session*.
- v. Planned an annual plain-language training for the agency.
- vi. Featured via email to all FLRA employees: Deborah S. Bosley, Ph.D., Founder of The Plain Language Group, giving a quick (reviewable in 5-10 minutes) refresher on better writing and how to meet regulatory requirements for plain language in her [slide deck here](#). We also promoted her one-hour webinar recording: [How to Meet Regulatory Requirements for 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
Published an article on the Act and its requirements in the internal agency newsletter	110 estimated	February

In Session in February of 2021, found at https://intranet.flra.gov/sites/default/files/2021-2%20-%20In%20Session.pdf		2021
Promoted to all staff a webinar on March 10, put on by the Plain Language Community of Practice and Digital.gov: <i>Learn how Plain Language and Accessibility Concerns intersect</i> - March 10, 2-3pm - Register	10 estimated	March 2021
Featured to all FLRA employees: Deborah S. Bosley, Ph.D., Founder of The Plain Language Group, giving a quick (reviewable in 5-10 minutes) refresher on better writing and how to meet regulatory requirements for plain language in her slide deck here. We also promoted her one-hour webinar recording: How to Meet Regulatory Requirements for Plain Language.	10 estimated	March 2021

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 Melissa Wisniewski, Dan Duran, and Cabrina Smith, as well as Acting General Counsel Charlotte Dye, Executive Director Michael Jeffries, and then approved by FLRA Chairman Ernie DuBester.

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](#)
- 8) [October 14, 2020](#)

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.