

**Federal Labor Relations Authority**  
**Plain Writing Act Compliance Report**

**April 12, 2013**

**I. Senior Agency Official for Plain Writing:**

- a. Senior Agency Official responsible for Plain Writing:

Sarah Whittle Spooner, Executive Director

- b. Plain Writing coordinators within the agency:

Gina Grippando, Chief, Office of Case Intake and Publication (Authority Component)

Donna DiTullio, Attorney (FSIP Component)

Richard Zorn, Assistant General Counsel for Appeals (OGC Component)

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

<b>Type of communications or document or posting. List how this is made available to the public.</b>	<b>Who is the intended user and approximate number of potential users?</b>	<b>What has changed by using Plain Writing?</b>
<b>Press Releases.</b>	Federal-agency employees; managers; and union representatives	Effective communication.
<b>Authority Orders directed to party customers.</b>	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.

<p><b>Authority Decisions.</b></p>	<p>Labor-relations practitioners; Federal-agency employees; managers; and union representatives; Federal-sector arbitrators; and other members of the public.</p>	<p>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 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.</p>
<p><b>Authority Drafting Guide (Initially issued July 18, 2012; Updated March 12, 2013).</b></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</p>

		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.
<a href="#"><u>Authority Guide to Arbitration (Updated February 26, 2013).</u></a>	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 and arbitrators regarding the arbitration process and their legal rights and responsibilities.
<a href="#"><u>Negotiability Guide (Draft April 19, 2013)</u></a>	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.
<a href="#"><u>FLRA eFiling Regulations (effective May 4, 2012).</u></a>	Labor-relations practitioners; Federal-agency employees; managers; and union representatives.	More effective communication and clearer information regarding procedural requirements electronically filing cases with the Authority, FSIP, and OGC.
<a href="#"><u>OGC Guidance on Information Requests (October 2011)</u></a>	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.
<a href="#"><u>OGC Case Law Outline (February 2012 and subsequent updates)</u></a>	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.
<a href="#"><u>Representation Case Law Outline (April 2013)</u></a>	Labor relations practitioners; Federal-agency employees; managers; and union representatives.	This Outline, which incorporates plain-writing principles and is available on the OGC web site, is a very important tool for researching representation case issues.
<a href="#"><u>Revision of Representation Regulations (Part 2422) and Unfair Labor Practice Regulations (Part 2423)</u></a>	Labor relations practitioners; Federal-agency employees; managers; and union representatives.	OGC revised representation and unfair labor practice regulations to be consistent with the Plain Writing Act of 2010 guidelines.
<a href="#"><u>OGC Dismissal Letters and Appeal Decisions</u></a>	Labor relations practitioners; Federal-agency employees; managers; and union representatives.	OGC strives to provide clearer bases for decision-making.
<a href="#"><u>FSIP Decisions and Orders; Opinions and Decisions of Panel Arbitrators; and procedural-determination</u></a>	Labor relations practitioners; Federal-agency employees; managers; and union	FSIP consistently uses clear and concise communication.

letters	representatives.	
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### III. Inform agency staff of Plain Writing Act's (Act) requirements:

- a. Information on the Act is posted on the FLRA's intranet and internet sites.
- b. The GC appointed four staff members to the newly-formed OGC Writing Committee in January 2012. As a result, the General Counsel issued the first-ever OGC Writing Policy in March 2012. This was followed up by a two-page two-sided laminated Quick Reference Guide in April 2012 distributed to all staff. The GC institutionalized the Writing Committee to provide on-going assistance to other OGC committees, workgroups, and authors by reviewing all external written work of a policy nature.
- c. The OGC Writing Committee implemented 2 new Writing initiatives in July 2012. The first is a Quarterly Writing Competition where the Committee awards a trophy and a small cash award to the author of a quality written document. The Committee also established a new feature in the OGC Connection (a newsletter for all OGC employees). Among other things, each column has a Writing Quiz and Writing Tip of the month. The Committee also publishes in the OGC Connection the name of the winner of the Quarterly Writing Competition and the winning work product.
- d. The Authority concluded a decision-writing initiative that it began in October 2011. A decision-writing workgroup provided the Authority's Members with several recommendations intended to improve the quality and readability of Authority decisions. These recommendations, all of which the Authority Members adopted, included: substituting more informative, "deep-issue statements" for the standard boilerplate in the "Statement of the Case" section; eliminating the "Positions of the Parties" section, and, instead, "weaving" the parties' arguments into the "Analysis" section; in the "Background" section, eliminating unnecessary cites to the record except when directly quoting or there is some need to know where in the record the point has been made; reducing acronyms and initialisms; eliminating "substantive" footnotes, to ensure that all relevant points of discussion appear in the text; moving case citations and record citations to footnotes, rather than keeping them in text, in order to improve readability; and changing the "Decision" and "Order" sections from passive to active voice.

#### IV. Training

a. Agency provided the following trainings:

Type of Training	Number of employees trained	Date
For Authority Staff: Live Presentation by Bryan Garner, Advanced Legal Writing and Editing	30	November 14, 2012
For OGC Staff: Live Presentation by Bryan Garner, Advanced Legal Writing and Editing	50	December 6, 2012

#### V. Ongoing compliance/sustaining change

- a. Individuals should send issues regarding compliance to Sarah Whittle Spooner at [engagetheflra@flra.gov](mailto:engagetheflra@flra.gov).
- b. FLRA-component coordinators are responsible for documenting and reporting the use of plain writing in agency communications.
- c. Each FLRA component (Authority, FSIP, and OGC) is responsible for developing a plain-writing clearance process for documents.

#### VI. Agency's plain writing website:

- a. Website address: [http://www.flra.gov/plain\\_language](http://www.flra.gov/plain_language).
- b. Contact us at: [engagetheflra@flra.gov](mailto:engagetheflra@flra.gov).
- c. Implementation of the Act

- i. Press Releases.
- ii. FLRA components will develop a list of documents covered by the Act and a timeline for implementation.
- iii. [OMB implementation guidance on the Plain Writing Act of 2010](#).

## **VII. Customer-Satisfaction Evaluation After Experiencing Plain-Writing Communications**

We invite the public to give us feedback on the FLRA's implementation of its Plain-Writing Initiative using [enagetheflra@flra.gov](mailto:enagetheflra@flra.gov). We will report on such feedback in future compliance reports. During the past year we have not received any feedback or inquiries.