



U.S. Railroad Retirement Board Plain Writing Act of 2010 Annual Compliance Report April 2013

Background

President Obama signed the Plain Writing Act of 2010 into law on October 13, 2010. This law requires agencies to communicate in a manner “that the public can understand and use,” and applies to any application, form, informational material, letters or notices. It also defines plain writing as “clear, concise, well-organized, and follows other best practices appropriate to the subject or field or intended audience.”

The U.S. Railroad Retirement Board (RRB) has always tried to communicate with its customers and stakeholders in a clear, understandable manner. This took on added importance in the late 1990s when presidential guidance directed agencies to use plain language in external documents and regulations. The RRB developed an internal training program which it used for a number of years to train employees who generated most of the correspondence, forms and instructions for our customers.

Initial Implementation

In recent years, the RRB has used a training vendor affiliated with the Chicago Federal Executive Board, SkillPath Training, to help our employees improve their writing skills. SkillPath offers several different courses on various forms of written communication, and RRB employees typically attended such classes at a central offsite location. In response to enactment of the Plain Writing Act in October 2010, the RRB arranged for SkillPath to conduct two onsite training sessions in November 2010. A total of 50 employees attended this course, “Business Writing Basics for Professionals.”

In July 2011, as required by the law, the agency created a page on its website dedicated to plain language, including a link to guidelines and best practices in this area, as well as a link to an e-mail address should a visitor to the web page have any questions, concerns or complaints about agency documents. The agency also posted its initial implementation plan on this page, as required by the law, and designated the RRB’s Public Affairs unit to monitor ongoing compliance. In April 2012, we posted our initial compliance report to the page.

Recent Activities

In October 2012, the RRB scheduled additional training on effective writing and use of plain language. The training, once again provided by SkillPath, included a component called “Business Writing for Results” and another titled “Mistake-Free Grammar.” A total of 90 agency employees completed this training, almost double the number who attended the 2010 training as part of the initial compliance activities.

In the past year, we have also continued to review documents and online postings to make them simpler and more understandable as suggested by the guidelines and best practices on plain language. As part of these efforts, we have evaluated our most common and popular publications using a variety of benchmarks. These included the Flesch Reading Ease Test and the Flesch-Kincaid Grade Level calculation. The sources for these statistics were Microsoft Word and a separate grammar and writing analysis software program called RightWriter. These software programs also provide data on use of passive language and jargon, which are added measures of clarity and strength in writing.

While software programs can highlight problem areas and suggest changes, a careful review by well-trained employees is required to make the necessary improvements to agency documents and publications. Specifically, automated reviews can recommend edits that do not take into account an agency's programs and customers. For example, the RRB has several terms that are present in its statutes and regulations that might be deemed overly complex. However, in most instances, our customers understand these terms and, in terms of the general public, we make sure to explain the underlying meaning of the term in the clearest possible manner.

Examples include the term "current connection," which basically means that an individual has not worked extensively outside the railroad industry in the period immediately before his or her retirement date or, in the case of survivor benefits, his or her date of death. Railroad retirement benefits are also set up on a two-tier basis, with tier I roughly equivalent to social security benefits and tier II comparable to a private pension payment. While these terms are often flagged by software programs as jargon, an adequate explanation of them means that subsequent references are shorter yet more precise. The same can be said for use of "RRB" in our written documents, with automated reviews generally discouraging use of acronyms.

The agency has also found that improved word choice and shorter sentences through the use of the Flesch Reading Ease Test and the Flesch-Kincaid Grade Level calculation have been more difficult to achieve than significant reductions in use of passive voice. For example, in one of our most popular booklets, "Medicare for Railroad Workers and Their Families," we reduced the incidence of passive-voice sentences from 14 percent to 4 percent. Also, in our "Agency Overview" pamphlet, which provides background on the RRB and its programs, the frequency dropped from 39 percent to 16 percent. However, in both cases, the Flesch and Flesch-Kincaid measurements remained about the same.

As an example of improved language in the Medicare booklet, the 2012 version contained the following sentence: "Railroad workers are covered under the Medicare program just like workers covered under social security."

Substituting active voice for passive voice and simplifying the sentence resulted in the following in the 2013 update: "The Medicare program covers railroad workers just like workers under social security."

Similarly, the 2012 version contained the sentences, “Medicare is financed by a portion of railroad retirement tier I and social security payroll taxes paid by employees and employers. It is also financed in part by monthly premiums paid by enrollees.”

The same paragraph in the 2013 version reads, “A portion of railroad retirement tier I and social security payroll taxes paid by employees and employers finances Medicare. Monthly premiums paid by enrollees also provide financing for the program.”

The 2012 “Agency Overview” contained the sentence, “The financing of the two systems is linked through a financial interchange under which, in effect, the portion of railroad retirement annuities that is equivalent to social security benefits is coordinated with the social security system.”

This was revised in the 2013 version as, “A financial interchange links financing of the two systems by coordinating the portion of railroad retirement annuities that is equivalent to social security benefits with the social security system.”

Plans/Goals

In the coming year, the RRB will continue to provide training, subject to availability of budgetary resources, on effective writing. This has been increasingly popular for both employees and managers, and has provided benefits with respect to plain language. Specifically, program staff members who have taken this training are suggesting changes that improve clarity and simplicity as part of their technical review of agency documents and publications.

We will also look to supplement this training with content directly related to use of plain language in written communication. There are several online training modules in this area that have been developed by other federal agencies, including the Department of the Army, the National Institutes of Health and the Centers for Disease Control. The RRB’s Public Affairs staff will work with the agency’s training staff to evaluate these online offers and determine how to make effective use of them.

We will also look for additional ways of analyzing and improving our written documents. While we have made use of grammar/language analysis software, and it has been a valuable tool, in the coming months we hope to review a new software package that is designed specifically for legal documents, which constitutes a significant portion of the agency’s public communications. In addition, we will attempt to increase the visibility of the RRB’s efforts in this area on the agency website, as well as on the PlainLanguage.Gov site.

Questions or requests for additional information can be directed to Supervisory Public Affairs Specialist Mike Freeman or Technical Writer-Editor Bruce Rodman as follows.

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