Plain Writing Act Compliance Report 2019–2020

April 2020

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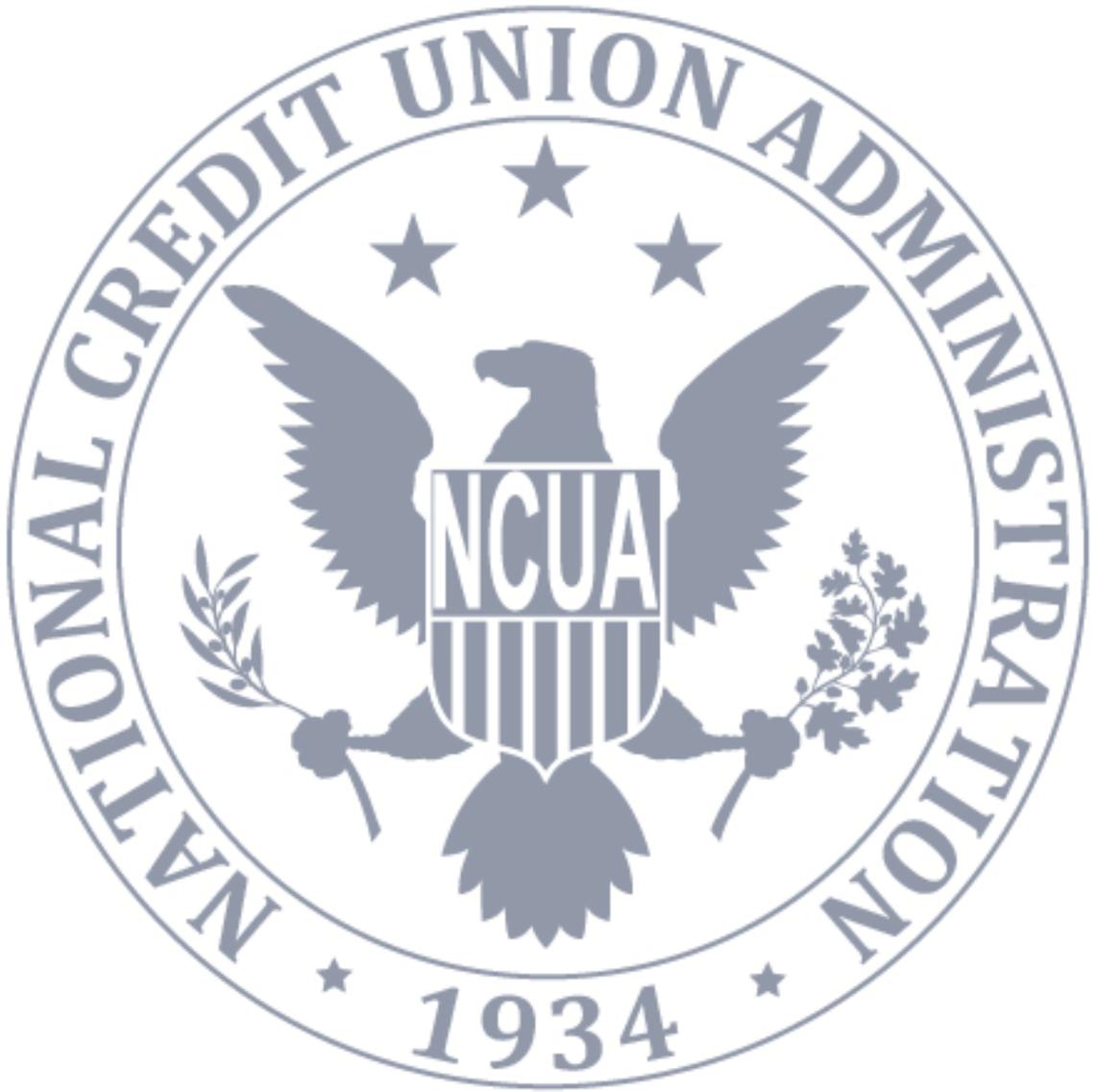
Plain Writing Act Compliance Report • 2020

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Introduction

The [Plain Writing Act of 2010](#) requires "clear Government communication that the public can understand and use." As part of its mission to promote confidence in the national system of cooperative credit, the National Credit Union Administration (NCUA) strives to write documents that are "clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience," as required by the Act.

Compliance with the Act is a top priority among NCUA's leadership, managers, and staff, and the agency works continuously to improve its performance in that regard. We are pleased to provide this report for the 2019-2020 compliance period, completing the ninth annual review of the NCUA's compliance with the Act.

Initial Requirements

The Plain Writing Act mandates six core actions and four additional requirements agencies must fulfill to maintain compliance with the law:

Core Actions

- Designate one or more senior officials within the agency to oversee the agency's implementation of the Act;

- Communicate the requirements of the Act to agency employees;

- Train agency employees in plain writing;

- Establish a process for overseeing the agency's ongoing compliance with the Act's requirements;

- Create and maintain a plain writing section on the agency's website that is accessible from the homepage of the agency's website; and

- Designate one or more points-of-contact to receive and respond to public input on the agency's implementation of the Act and the required reports.

Additional Requirements

The agency's plain writing website must inform the public of its compliance with the Act's requirements. It must also provide a mechanism for the agency to receive and respond to public input on the agency's implementation of the Act and required reports.

- Each agency will use plain writing in every document that it issues or substantially revises.

- Each agency head will publish on the plain writing section of the agency's website a report that describes the agency's Act compliance plan.

- Each agency head will publish on the plain writing section of the agency's website an annual report on agency compliance with the law's requirements.

Plain Writing Officer and Infrastructure

The NCUA's Director of the Office of External Affairs and Communications (OEAC) is responsible for implementing the Act and serving as agency point-of-contact to receive and respond to public input. To that end, questions or comments concerning the agency's plain writing efforts may be sent to plainwriting@ncua.gov.

The NCUA continually educates staff about plain writing requirements and produces public documents that are easier for audiences to understand and use. Examples of those efforts are listed in the "Plain Writing Compliance" and "Training" sections below.

NCUA's plain writing webpage meets the Act's requirements for accessibility to agency implementation and compliance reports, and includes a link to the plainlanguage.gov website. The webpage also provides an email address for the public to send comments.

Resources

- Chapter 2 of the NCUA's *Communications Manual* provides staff with guidance on following plain writing principles.

- The agency's Office of Human Resources (OHR) provides a two-day *Writing for Examiners* course as well as *Writing for Office Staff* and *Writing for Supervisors* courses. Upon request, the office also arranges writing classes tailored to meet the particular needs of agency departments.

- The NCUA uses templates for memorandums, reports, and correspondence that incorporate plain writing principles and help ensure consistency and clarity in agency communications.

Plain Writing Compliance

Using results from a 2018 Usability Study that consulted 195 participants, the NCUA created a website in 2019 that was user-friendly, innovative, well-branded, current, accessible, secure, efficiently managed, and publicly trusted. Additionally, the NCUA developed web standards and guidelines highlighting major elements of the agency's identity and provided guidelines for correct use. These standards support the creation of more accessible webpages that will continuously provide unique and accurate content to the NCUA's stakeholders.

Also in 2019, the Office of the Chief Information Officer (OCIO), with OEAC, analyzed each page of the NCUA's website to determine if the content warranted an update or removal and completed all required changes. Refinement of data-driven features on NCUA's website also help users find what they need more easily. The OCIO also hosts and maintains the agency's Plain Writing Act of 2010 page.

The NCUA offices must review their print communications in order to improve clarity and readability.

Agency reports are reviewed and edited by OEAC staff to ensure adherence to plain writing requirements, including: the agency's *2019 Annual Report* and the Office of Minority and Women Inclusion's *No Fear Act Report 2019* and *2019 Annual OMWI Report to Congress*.

The Office of Consumer Financial Protection (OCFP) used plain writing principles to redesign user-friendly content for the agency's consumer information website, MyCreditUnion.gov. The site now features a mobile-first design, new menu options, and better content search function. The website's reorganization helps consumers easily find popular content, applications, learning tools, and resources.

Plain writing principles were integral to the OCFP's preparation of scripts and visual content for videos, public broadcasts, and webinars.

Examples include:

- The *2019 Fair Lending and Consumer Compliance Regulatory Update* webinar;
- The *Developing a Solid Emergency Fund* Facebook Live event;
- The *Older Americans Month – Preventing Elder Exploitation* Facebook Live event; and
- NCUA resources and information on MyCreditUnion.gov for National Financial Capability Month.

Fair lending compliance materials for staff and for credit unions, consumer and credit-union-focused publications including brochures, flyers, and infographics, and consumer call-center scripts and consumer response letter templates for the Consumer Assistance Center, all follow plain writing guidance. Other examples of educational materials produced for NCUA staff include six narrated PowerPoint training presentations for 2020 exam scope activities, the *2019 Consumer Compliance Subject Matter Expert Forum*, a live online training session for consumer compliance subject matter experts, and sessions on consumer financial protection issues at the *2019 Exam Issues Forum*.

The Office of Credit Union Resources and Expansion (CURE) developed training and informational materials using plain writing principles, including three new courses and five webinars. These materials are posted on the NCUA's Learning Management Service. The courses use clear and concise plain writing principles to make the narration, closed captioning, and on-screen text easy to understand, and the webinar slides were developed using plain language principles. One of the three training courses is completed; the other two are in development:

- *Serving the Underserved: CDFI Certification* (completed);
- *Understanding Financial Statements* (under development); and
- *What is Capital?* (under development)

CURE hosted five webinars for credit unions:

- *Bank Enterprise Awards Program;*
- *2019 Community Development Revolving Loan Fund Grant Round;*
- *Liquidity Risk and Interest Rate Risk;*
- *The Big Picture of Small Business Administration Lending for Credit Unions Part 1;* and
- *The Big Picture of Small Business Administration Lending for Credit Unions Part 2.*

The office of Examination and Insurance (E&I) emphasizes plain language in development of staff manuals, guidance, and public-facing communications. This office continuously updates internal exam policies contained in the National Supervision Policy Manual.[1] In 2019, E&I released four versions of the *National Supervision Policy Manual* with updated content. Plain writing principles were also incorporated in the update of the following content of the agency's Examiner's Guide[2]:

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[1] The public has access to a redacted version of the National Supervision Policy Manual at Go to the NCUA's National Supervision Policy Manual; staff have access to an interactive web version through the agency website.

[2] Go to the NCUA's Examiner's Guide

- Commercial and Member Business Loans;
- Shared Branching, Liquidity;
- Offsite Exam Procedures;
- European Union's General Data Protection Regulation, Fraud, 5300 Call Report and Credit Union Profile; and
- Credit Union Service Organizations.

The Office of the Chief Financial Officer (OCFO) used plain writing principles and quality control in the following documents: Board Action Memorandums and related documents for the *2019 Midsession Budget* and the *2020-2021 Budget Justification*, the *2020 Annual Performance Plan*, and the *2019 Annual Report and Monthly Financial Highlight*.

The Office of Human Resources (OHR) established its internal communications working group to develop a communications plan, incorporating plain writing principles, for how the office shares information within its office and throughout the NCUA.

The OHR's Division of Staffing and Classification used plain writing principles to develop guides and special presentations to assist NCUA employees in understanding the process and requirements to successfully apply for positions. This guidance focused on simplifying the online application process, mapping out various parts of a vacancy announcement, and clarifying terms used in the federal recruitment process.

The OHR's Division of Labor and Employee Relations used plain writing principles when drafting language for Collective Bargaining Agreement provisions and Memorandums of Understanding with the National Treasury Employees Union.

The Office of General Counsel (OGC) attorneys regularly have their work reviewed by peers. Afterwards, all regulations and legal opinions are reviewed by several managers for consistency, accuracy, and readability. Although regulations are not considered covered documents under the Plain Writing Act (regulation preambles are), the Office strives to make sure regulations are plainly written and understandable.

The OGC also played a key role in reviewing and providing feedback on a substantial portion of guidance documents, directives, and training materials posted on the NCUA's websites. The office is finalizing an instruction that establishes NCUA policy and assigns responsibilities for ensuring the quality of information posted on the NCUA's public websites and compliance with related legal requirements.

The Office of Inspector General (OIG) updated its webpages and brochure to simplify and clarify information to the public, NCUA employees, and NCUA contractors about reporting matters to the office, including OIG hotline information and whistleblower

protection. OIG also used the principles of plain writing by using shorter sentences and sections with descriptive headings in its audits and investigative reports. These reports also used fewer acronyms, as well as bulleted lists and tables, to more clearly present complex information. If a report contains acronyms, an acronym definitions page is included in the report.

The Office of Business Innovation (OBI) continues to uphold plain language standards for both internal and publicly disseminated products. It also routinely reviews internal and external web-based postings to ensure consistent use of plain writing guidelines and agency templates.

The Southern Region maintains correspondence templates that comply with the Plain Writing Act and the *NCUA's Communications Manual.* The office evaluates examination reports during the Pre-Release Secondary Review; Documented Secondary Capital, Asset quality, Management, Earnings, Liquidity/Asset-Liability Management Reviews (CAMEL); and the Quality Control Review processes to ensure the reports meet the requirements of the Plain Writing Act.

The Western Region maintains correspondence templates that comply with the Plain Writing Act and the *NCUA's Communications Manual.* The office evaluates examination reports during the Pre-Release Secondary Review and the Quality Control Review processes to ensure the reports meet the requirements of the Act. Field supervisors review examination reports during Pre-Release Secondary Reviews and Documented Secondary CAMEL Reviews to ensure the reports are compliant with the Act and provide regular feedback to examiners on written work products with suggestions to enhance readability.

The Eastern Region reviews draft correspondence prepared by analysts, examiners, and other staff on multiple supervisory levels to ensure it meets the requirements of the Plain Writing Act and the *NCUA's Communications Manual.* The office provides continuous feedback to staff on written products, with suggestions to enhance grammar and readability.

The Office of the Chief Economist (OCE) ensures all of its products are well-written and understandable and thus, follow Plain Writing Act principles, are well-written, and understandable. Indeed, all written products are reviewed by the Chief Economist or another senior staff member before they are widely disseminated.

The Director of the Office of Continuity and Security Management (OCSM) reviews all formal correspondence and written reports prior to dissemination for compliance with the Plain Writing Act, including reports of findings, memorandums, after action reports, alert notifications, and data requests. To ensure the material is drafted in plain

language, all OCSM training documents and presentations are reviewed by staff who do not specialize in the topic area.

Training

NCUA offices provided plain writing training to their staff in workshops and routinely incorporated discussions of plain writing principles in meetings. Along with scheduled training, NCUA offices regularly review documents for compliance with those principles, provide feedback to employees, and include adherence to plain writing as part of annual staff appraisals.

Training during 2019-2020 included:

- NCUA's Office of Human Resources, Division of Training and Development sponsors numerous plain writing classes for all staff. Examples of workshops and online training include:

    - A one-day plain writing course for new NCUA examiners as part of their STEP 7 training in communications (29 Federal and 55 State trainees). New non-examiner employees are assigned a Plain Writing Act course as part of their orientation curriculum when they join the agency.

    - A two-day *Writing for Examiners* workshop for experienced examiners who need a refresher on plain writing principles (18 trainees);

    - A two-day *Writing for Supervisors* workshop (11 trainees);

    - Two-day *Writing for Office Staff* workshops (17 trainees);

    - *Plain Writing Act* online training for all new NCUA employees (71 trainees); and

    - *Plain Writing Act* refresher online training (3 trainees).

- The Office of Consumer Financial Protection (OCFP) provided plain writing training to all staff members at its October 2019 annual meeting.

- In 2020, the E&I introduced a monthly hour-long lunch-and-learn session for its staff on communication in compliance with the Plain Writing Act. Topics presented on included *Introduction to Plain Language, Making Word Work,* and *A Writer's Introduction to Section 508*.

- The Eastern Region asked its management team to determine the most common plain writing problems they see. One Director ranked the responses and developed a Top 10 issues PowerPoint presentation that was used in several group meetings as a training tool. The Eastern Region also sends a monthly Plain Writing tip to all staff, including such items as:

  - Use a comma and a conjunction to join two independent clauses in a sentence;

  - Should you say should or must you say must? Should = A recommendation or best practice. Must = a requirement - Example: You should check your blind spot before changing lanes. You must stop for red lights; and

  - Don't use a slash when you mean "or" or "and."

- OIG encourages its staff to include a writing course in their annual Individual Development Plans. In one example, an OIG auditor attended a Council of the Inspectors General on Integrity and Efficiency Training Institute writing course on planning, organizing, and writing effective OIG reports.

- The Office of National Examinations and Supervision (ONES) included a presentation on plain writing in reports at the office's April 2019 staff meeting.

- OBI reinforces plain writing principles with staff on detail to the office by teaching them where to find standard agency-approved templates that were developed using plain writing principles.

- The Office of Minority and Women Inclusion's Communications Specialist works individually with the office's staff members to provide informal training on plain writing principles. This feedback and guidance improves the quality of written communications.

- To ensure compliance with the Plain Writing Act of 2010, the Director of OCSM reviews all drafts and provides staff with tracked changes documents to be used as training material.