

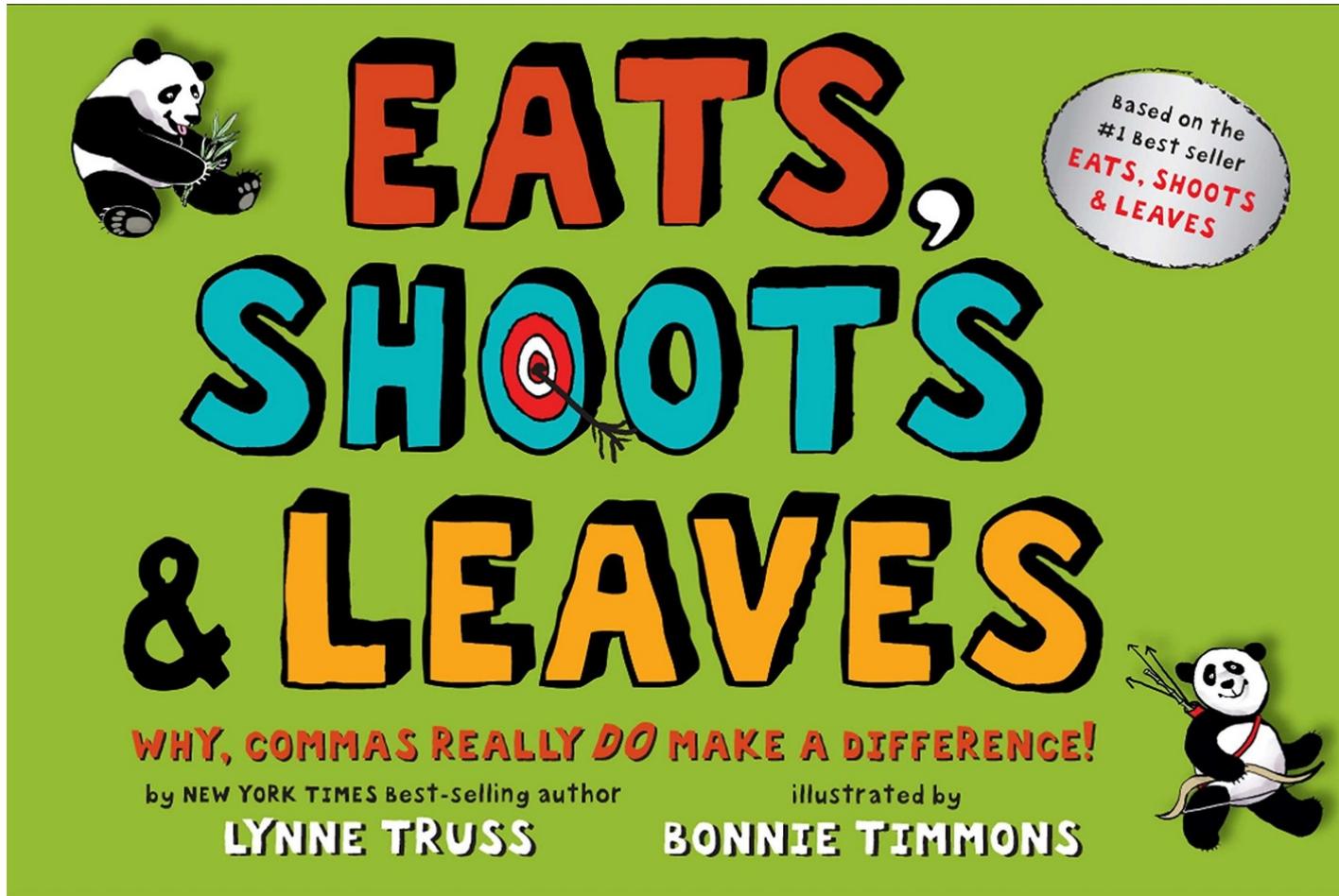
# 5 Million Dollar comma mistake

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Punctuation can make a real difference



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The New York Times

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*Oxford Comma Dispute Is Settled  
as Maine Drivers Get \$5 Million*



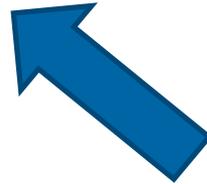
# What was the \$5 Million Comma? (or lack thereof)

*The canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of:*

*Agricultural produce;*

*Meat and fish product; and*

*Perishable foods*



"Distribution" is the key word here. Without the Oxford comma, "packing for shipment or distribution" is one activity that's exempt from time-and-a-half pay.

# How and To Whom You Communicate Matters



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# Written communication

Tip: Optimize for your target audience but consider alternate readers

- Example: Work Plan
  - Primary Audience: facility personnel
  - Alternate Audience: management
  - Alternate Audience: regulators
  - Alternate Audience: counsel
  - Alternate Audience: the public

# Written communication

## Tip: Beware of words with multiple meanings

- Example: Permitted
  - Allowed
  - Regulated under a permit
- Example: Concrete
  - Known
  - A building material made from a mixture of broken stone or gravel, sand, cement, and water, which can be spread or poured into moulds and forms a mass resembling stone on hardening.
- Example: Bad Data
  - Data with an undesirable outcome
  - Data which failed data validation

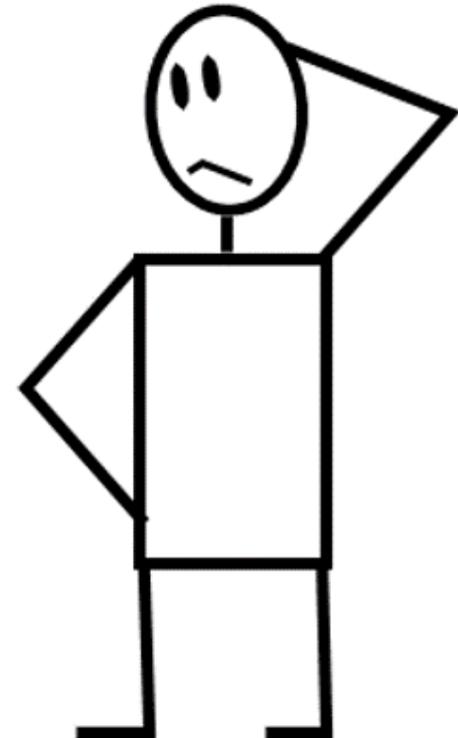
# Pros and cons of wobble words

Different words for different levels of uncertainty

- Potentially
- Likely
- Unlikely

*“Risk is measurable uncertainty”*

*“Uncertainty is unmeasurable risk”*



# Wiggle word or clarifying term?

| Term          | Certainty (%) | Three                                 |
|---------------|---------------|---------------------------------------|
| Known         | 100           | Certain, beyond any doubt             |
| Very likely   | 80-99         | Very likely through virtually certain |
| Likely        | 50-80         | Probable                              |
| Unlikely      | 20-50         | Doubt, probably not, improbable       |
| Very unlikely | <20           | Possible, conceivable, may            |
| Impossible    | 0             | Absurd, contrary to reason            |

# How and To Whom You Communicate Matters



# Verbal communication challenges

**Understand your purpose – before you start talking, and before you keep talking**

**Understand your audience and also your team**

- Spokespeople may need to change for different purposes

**Prepare in advance**

- Cameras are everywhere and you will find editing to be more challenging

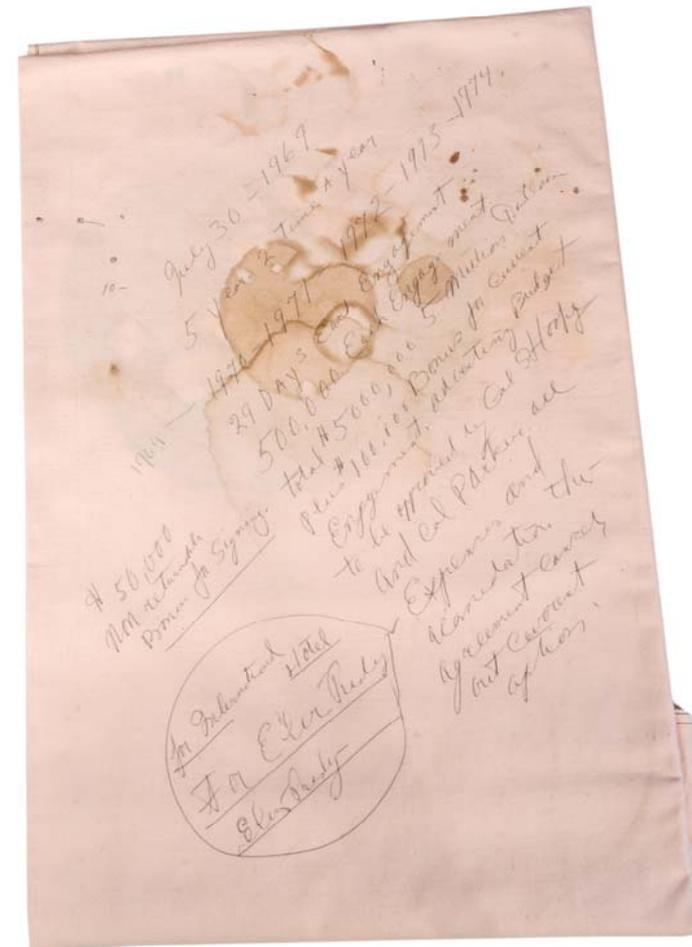
**Interactive audiences can drive discussions in undesirable directions**

- Weighing the risk of answering incorrectly with appearing incompetent by not answering at all
- Mixed audiences have different levels of understanding

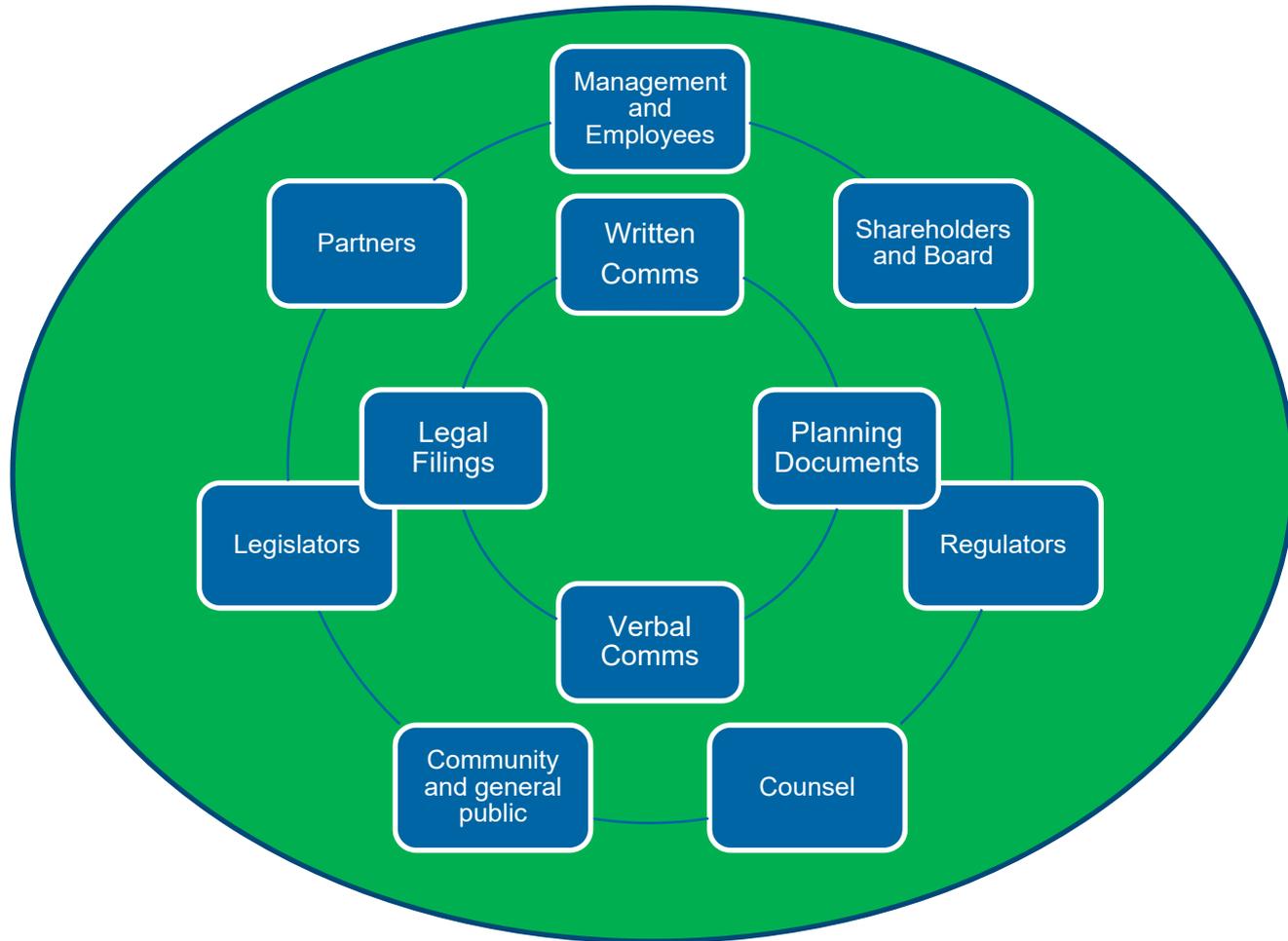
# When verbal communication won't cut it

A contract on a table cloth is better than no contract at all

- Example 1: Building a house
- Example 2: Documenting assumptions e.g. bid walks
- Example 3: When you don't speak the same language – either international projects or multidisciplinary teams
- Example 4: Deviations from plan, documenting concurrence from both parties
- Example 5: Potentially controversial information
  - Public notices
  - Changes in pricing
  - Auto-renewal of previous services



# How and To Whom You Communicate Matters

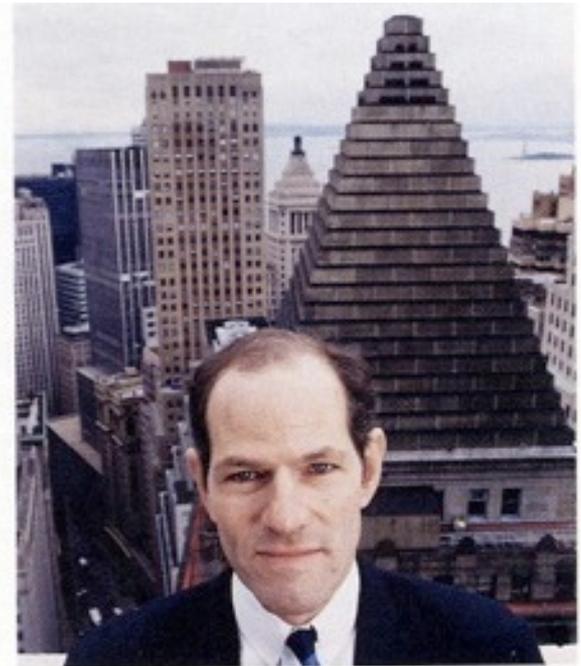


## Electronic Communication

# A lesson in electronic communication

**Never write when you can talk. Never talk when you can nod. And never put anything in an e-mail.**

**ELIOT SPITZER,**  
New York state attorney general



*New York Magazine, Dec. 9, 2005*

Given that Spitzer's behavior was caught via a federal wiretap, I guess he should have taken his own advice and not used the phone to schedule his rendezvous...

# Electronic communication challenges

## Everything happens faster

- Responses are near immediate, reducing time to thoroughly think through the best answer
- Recipients may misread your email or text message – context lost on a small screen

## Information is memorialized nearly forever

- Court cases may dig up years worth of emails – even if you delete them, they are typically backed up elsewhere
- Even voicemails are getting transcribed and sent to email

Tip: where possible, limit email on smart phones. Set specific times of day to check email to optimize understanding and develop a clear response.

# Questions

## Midwest Environmental Compliance Conference

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