

NUCLEAR REGULATORY COMMISSION

Title: Equal Employment Opportunity Briefing

Docket Number: (not applicable)

Location: Rockville, Maryland

Date: Wednesday, February 6, 2002

Work Order No.: NRC-212

Pages 1-100

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 EQUAL EMPLOYMENT OPPORTUNITY BRIEFING

5 + + + + +

6 PUBLIC MEETING

7 + + + + +

8 Nuclear Regulatory Commission

9 One White Flint North

10 Rockville, Maryland

11 + + + + +

12 Wednesday

13 February 6, 2002

14 + + + + +

15 The Commission met in open session, pursuant to
16 notice, at 9:30 a.m., the Honorable RICHARD A.
17 MESERVE, Chairman of the Commission, presiding.

18 COMMISSIONERS PRESENT:

19 RICHARD A. MESERVE, Chairman of the Commission

20 NILS J. DIAZ, Member of the Commission

21 GRETA J. DICUS, Member of the Commission

22 JEFFREY S. MERRIFIELD, Member of the Commission

23 EDWARD MCGAFFIGAN, JR., Member of the Commission

24
25
NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:
2 ANDREW BATES, Secretary
3 KAREN D. CYR, General Counsel
4 WILLIAM TRAVERS, EDO
5 PATRICIA NORRY, DEDM
6 IRENE LITTLE, SBCR
7 PAUL BIRD, HR
8 MARTIN VIRGILIO, NMSS
9 MICHAEL MARSHALL, ACCAA
10 JESSIE DELGADO, HEPAC
11 MICHAEL CULLINGFORD, APAAC
12 JANE GUNN, FWPAC
13 BUCK IBRAHIM, CAD
14 FRANK AKSTULEWIORZ, JLMEEOC
15 DALE YIELDING, NTEU
16
17
18
19
20
21
22
23
24
25

P-R-O-C-E-E-D-I-N-G-S

(9:35 a.m.)

CHAIRMAN MESERVE: Good morning, ladies and gentlemen. The Commission meets today to discuss the status of the Agency's Equal Employment Opportunity Program.

This is the first of two meetings that will be held this year on this subject, reflecting not only our implementation of the requirements of the Energy Reorganization Act of 1974, but also our continuing commitment to foster equal opportunity for all NRC employees. And as I think most of you know, the achievement of our EEO objectives is one of the Commission's highest priorities.

Despite the progress in a number of areas in recent decades, EEO matters must remain at the forefront of the Commission's agenda. We need to ensure that our procedures and practices are as fair and equitable as possible for all of our current employees so that they may reach their maximum potential. At the same time, we must seek to attract new employees, many of whom will be minorities and women, with the skills and abilities necessary to take on the task of protecting the public health and safety in the next decades.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 These two objectives are complicated by
2 three other factors -- the NRC's aging workforce,
3 developments in nuclear energy external to the NRC and
4 beyond our direct control, and workforce restructuring
5 plans that are now being developed and implemented in
6 part to address these external changes. These
7 additional factors could take us in a number of new
8 directions at anytime. As a result, we are at a
9 crossroads in the Agency's history where the progress
10 we make in the EEO area will have an extraordinary
11 impact on the NRC of tomorrow. It is, therefore, with
12 great interest that the Commission looks forward to
13 today's briefing.

14 Dr. Travers, you may proceed.

15 MR. TRAVERS: Thank you, Mr. Chairman. We
16 usually have a pretty good turnout for these meetings,
17 but I think we may have the best turnout today that
18 we've ever had. So, it's good to see everyone, and
19 good morning.

20 We, as you have indicated, in fact, are
21 pleased to be here to report to you on the status of
22 our ongoing progress in the Agency's Equal Employment
23 Opportunity Program. As is the custom, let me
24 introduce the people at the table here and the people
25 in the back row.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Starting at my left, Michael Marshall is
2 the Chair of the Advisory Committee for African
3 Americans, and Mike is going to provide a perspective
4 on employee issues.

5 Marty Virgilio, of course, you know is the
6 Director of the Office of Nuclear Material Safety and
7 Safeguards, and Marty is going to discuss
8 implementation of our EEO Program in his office.

9 Pat Norry, of course, is my Deputy for
10 Management Services.

11 Irene Little, of course, is here
12 representing the Office of Small Business and Civil
13 Rights.

14 And Paul Bird is our Director of Human
15 Resources.

16 Also participating in our briefing today
17 and seated in the first row behind me are Jessie
18 Delgado, who is the Co-Chair of the Hispanic Program
19 Employment Advisory Committee; Michael Cullingford,
20 who is the Co-Chair of the Asian/Pacific American
21 Advisory Committee; Jane Gunn, who is the Chair of the
22 Federal Women's Program Advisory Committee, and Buck
23 Ibrahim, Co-Chair of the Committee on Age
24 Discrimination. Seated next to Buck is Frank
25 Akstulewicz, who is the Co-Chair of the Joint

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Labor/Management EEO Committee. Also joining us today
2 is Dale Yielding of the National Treasury Employees
3 Union.

4 I should point out that someone asked me
5 if I knew how to pronounce Frank's name before the
6 briefing. And I said I've known Frank Akstulewiorz
7 for a long time and, when it gets hard, a lot of us
8 just say Frank A-to-Z. I'm glad to see Frank back
9 there.

10 I'll begin my report by noting that we
11 are, as you've mentioned, Chairman, continuing to
12 focus on our Agency's EEO and diversity goals. As
13 we've discussed in previous briefings, one of the four
14 corporate management strategies that we have included
15 in our strategic plan is to sustain a high-performing
16 and diverse workforce, and it's obvious to me that to
17 this end we are going to have to remain committed and
18 diligent in our efforts to advance the principles of
19 the Agency's affirmative employment plan.

20 We have, as you've indicated, continued to
21 make steady, if somewhat slow, progress, and we have
22 implemented several EEO and diversity management
23 initiatives of late. Our written report to you
24 describes some of the "best practices" that we have
25 implemented throughout the Agency, and some of these

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 initiatives of course will be highlighted in this
2 morning's presentations.

3 I want to briefly just take a minute to
4 highlight three areas that are significant, I think,
5 in our efforts. Those are management accountability,
6 internal communications, and some discussion of the
7 progress we've made in our entry level hiring
8 initiatives.

9 As you may recall in fiscal '01, we
10 developed performance plans for SES managers that
11 included a separate subelement which clarifies and
12 enhances accountability for management support of the
13 Agency's EEO and diversity goals. In order to
14 complete that process and re-emphasize the importance
15 of these issues to our management team, I've observed
16 a similar requirement for non-SES supervisors to be
17 effective for the 2002 performance appraisal cycle.
18 In this, of course, we are seeking a more uniform
19 Agency-wide approach to establish consistent
20 expectation for EEO and diversity management
21 performance.

22 Our communication efforts, like internal
23 communication efforts, are also ongoing. I
24 personally, and many of our management team, are
25 seeking initiatives to more broadly communicate with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the workforce using different techniques to help
2 foster internal communications. One initiative that
3 I think is quite important that I'd like to mention is
4 an initiative that I kicked off to emphasize the
5 importance of constructive and honest feedback in the
6 appraisal process.

7 One thing I think we have over the years
8 not been particularly good at is providing employees
9 with a good benchmark of where they stand in their
10 career enhancement. And if you don't do that, I think
11 it's a loser from a number of perspectives, but we are
12 in the process of making additional efforts to make
13 sure that in the appraisal process in any given year
14 -- and not just once a year, but throughout the year
15 -- we are emphasizing to our employees what they are
16 doing well and what they are not doing so well at, and
17 where constructively they might seek some additional
18 enhancement in their career objectives. So, that's an
19 issue that I think is quite important.

20 Let me mention another initiative, entry
21 level hiring, which I believe is also significant to
22 increasing our workforce diversity. In March of 2000,
23 I established a goal to hire at least 25 percent of
24 our professional employees at the entry level, and I
25 am glad to report that during 2001 we have somewhat

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 exceeded that. Of the 124 professional hires, 34, or
2 27 percent, were at the entry level, and included 17
3 minorities and ten white women.

4 So, while I am pleased with some of that
5 progress and some of what you'll hear this morning, we
6 don't stand here, by any means, satisfied with those
7 efforts. We've made this challenge one that we think
8 needs to be one that is a continuing one, and we
9 intend to address it throughout the year.

10 We plan to discuss with you several other
11 initiatives which are, we believe, helping us to meet
12 these challenges, and to begin the process of
13 discussing this with you, I'll turn to Pat Norry.

14 MS. NORRY: Thank you, Bill. I'd like to
15 echo what Bill said, that we have made some positive
16 strides but, as we discuss the things we are doing,
17 some of them are going to be of a nature that will
18 take longer in terms of what you see in positive
19 results, but I think we have a lot -- we've already
20 achieved some results, and we have a lot ongoing which
21 should put us in good stead for the future.

22 I'd like to talk about three areas. In
23 succession planning, we have several strategies to get
24 women and minorities in a position to be able to move
25 into higher level jobs in the future. Largely, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 formal programs to support this are the Leadership
2 Development Program and the SES Candidate Program,
3 with which you are familiar.

4 The SES Candidate Program, of the 2001
5 graduates, has currently placed 17 out of the 23
6 graduates in SES positions. So that has been a
7 positive force, and not waiting for that to finish out
8 totally, we've started another program, and we have
9 147 applications for that program, and these represent
10 a diverse pool of candidates. And it also represents,
11 I think, an interest on the part of Agency managers to
12 move into SES positions, which is good.

13 The Leadership Potential Program, which we
14 did for the first time -- it started in June of last
15 year -- and we had a good, diverse pool of candidates
16 selected -- nine African Americans, four Asians, three
17 Hispanics, one Native American, 11 white women and 14
18 white men. And as you know, this program will provide
19 high performing employees the opportunity to get ready
20 for positions that require supervisory and managerial
21 skills. That will conclude in May, and I expect that
22 that's a program that we are also going to want to
23 continue as we do the SES Candidate Program.

24 The second challenge I'd like to talk
25 about is the need for candid, constructive and timely

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 feedback to employees. This is an ongoing challenge
2 which we are addressing in part by re-emphasizing the
3 requirement that managers provide candid and
4 constructive feedback to staff, and that is included
5 in this new EEO subelement that Bill mentioned
6 earlier, the one for all managers.

7 But to help managers be able to provide
8 this feedback, we have revised our course -- HR has
9 revised their course on effective management
10 participation in merit staffing to include
11 specifically some skills on how you do this, how you
12 provide feedback. And all supervisors are recommended
13 to take that course.

14 I want to emphasize something here which
15 I think is important. Feedback is not just an EEO
16 issue, although it feeds into a lot of the EEO
17 concerns. It is something that is important for every
18 stage of career development, and it is a management
19 responsibility. And we are going to re-emphasize
20 that. Every employee has a right to expect feedback
21 on how they are doing, and it's not just checking some
22 blocks once a year on a performance appraisal, it's
23 got to be more than that.

24 Since the last time we met with you on
25 this briefing, I had a brainstorming session with a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 small group of the African American community in the
2 Agency, to hear what their perspectives were on
3 enhancing diversity. And the recurring themes, as you
4 might expect, were recruitment, retention, feedback
5 and sponsorship. Now, by sponsorship -- it might not
6 be immediately apparent what that means -- it means
7 someone who is willing to look after the career of a
8 person and, you know, provide perhaps even informal
9 support.

10 So, as a result of this input, we
11 developed an action plan to address these issues
12 across the Agency that results in some actions, such
13 as building relationships with campus officials so
14 that our recruitment efforts are enhanced; evaluating
15 student course work and other factors, in addition to
16 the GPA, where these factors might suggest high
17 potential for successful intern candidates as opposed
18 to just looking at the GPA; encouraging honesty back
19 from supervisors and rating panels, as I mentioned
20 before; and enhancing management awareness of the
21 skills and competencies of those who seek career
22 advancement.

23 We also convened some facilitated focus
24 groups, with small groups to talk about their
25 perceptions regarding fairness and equity in the merit

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 selection process, and recommendations arising from
2 those focus groups were: we need to enhance staff
3 awareness and understanding of how merit selection
4 panels are formed; what is the feedback process if one
5 is not selected, and also there was concern about the
6 use of temporary promotions. So, those discussions
7 are ongoing, and how we address those issues is going
8 to be something that, of course, will involve the
9 entire Agency.

10 Recently, I also met with a group of
11 Asian/Pacific American employees to begin a dialogue
12 about how to more effectively address some of their
13 issues related to career enhancement. I think it was
14 a productive beginning which will require more
15 followup regarding the number of Asians in supervisory
16 and management positions, time-in-grade concerns, and
17 recruitment. So, now HR and SBCR are going to focus
18 on those issues as we develop specific actions to
19 address it.

20 I need to stress here that the issues that
21 have been raised by these groups -- and earlier we had
22 similar meetings with Hispanic groups which were
23 largely focused on recruitment and retention -- these
24 issues have wide applicability, and when we devise
25 strategies to address them, they will be applicable to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the entire Agency.

2 Finally, one of the biggest challenges we
3 face as an Agency, as the Chairman referred to in his
4 opening remarks, is the aging workforce and the
5 potential loss of corporate knowledge as a result of
6 attrition, and how do we facilitate transfer of that
7 knowledge to mitigate the loss.

8 So, we, of course, as you know, when we
9 briefed you last on human capital, we have some things
10 that we are using to promote this. For example,
11 managers are authorized to double-encumber certain
12 positions where a loss is going to occur in a critical
13 area, so that hiring or selection of a person to
14 replace that person could take place in time to allow
15 that knowledge transfer to take place.

16 We also have, as you know, waivers on the
17 ban on dual compensation in some areas, so that if
18 people have retired we can bring them back, where they
19 represent critical skills.

20 So, implementation of these and other
21 initiatives will help to ensure that we continue to be
22 a viable competitor in the job market and a desirable
23 workplace for employees and for applicants.

24 Finally, as an overarching principle for
25 all of this, we must consistently communicate to our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 employees our willingness to be fair and to empower
2 them to excel in a positive work environment. That's
3 basically what sums up everything.

4 Irene will now highlight some of the
5 Agency's "best practices" in advancing EEO and
6 diversity. Irene.

7 MS. LITTLE: Thank you, Pat. Before I
8 proceed, I will ask Mike Marshall if he would like to
9 make a statement on behalf of the EEO Advisory
10 Committees. Mike?

11 MR. MARSHALL: Thank you. Good morning.
12 I have the privilege to present the views of the EEO
13 Advisory Committees on the NRC's EEO program and
14 diversity management process.

15 The Advisory Committees have collectively
16 agreed to focus on five areas, and we would like to
17 acknowledge that the NRC management has already been
18 actively addressing these areas, as Pat mentioned and
19 Irene will continue later.

20 Many of us on mandatory on the Advisory
21 Committees are well aware of the efforts of the EDO,
22 in particular Ms. Norry, SBCR, HR, and the offices and
23 regions, to address these focus areas. The committees
24 have worked with NRC management to identify issues
25 that need attention, and to develop approaches to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 address those issues, and our Advisory Committees
2 would like to encourage NRC management to continue
3 their efforts.

4 The five areas the Advisory Committees
5 have selected to focus on are, first, enhance
6 opportunities for advancement of minorities, women and
7 employees over 50, and individuals with disabilities
8 in professional positions. And NRC has taken steps in
9 this with regards to their targeted recruitment
10 efforts to address the underrepresentation of
11 Hispanics in the workforce.

12 Also, the NRC has begun targeted
13 recruitment of African Americans. And one thing that
14 the committees are interested in for new hires and the
15 current employees is that it is vigilant to ensure
16 that all are fairly and equally considered for
17 advancement and development once they are onboard and
18 they are working here.

19 Second, expand the pool of minorities,
20 women, employees over 50, and individuals with
21 disabilities for supervisory and management and senior
22 level positions. In the individual statements of most
23 of the committees, you will notice that the Leadership
24 Potential Program is singled out here as a great mark
25 or good step that we all recognize as the Agency's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 commitment to diversity. And we also look forward to
2 the SES Candidate Development Program as another
3 effective tool for addressing this area.

4 Another important aspect of the
5 development of this is the development of minorities
6 to ensure minorities, women, individuals with
7 disabilities are prepared to compete for slots in
8 these development programs and for promotions.

9 Third, conduct periodic reviews of the
10 merit selection process to ensure that the current
11 procedures and practices are consistent with the goals
12 and objectives of the EEO program and diversity
13 process -- and Ms. Norry touched on this with
14 addressing the need to ensure appearance of fairness
15 to all employees.

16 Fourth, demonstrate through its action
17 that management is concerned for employee welfare,
18 morale and recognition.

19 Fifth and very importantly, encourage
20 management to create and maintain a work environment
21 that fosters open communication, mutual trust and
22 respect, and most of us consider feedback under this,
23 which Bill addressed earlier, as being very important
24 as far as employee development.

25 The committees also encourage inclusion of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 employees in decisionmaking processes to ensure their
2 views are considered, and involvement of the
3 committees recently in addressing and strengthening
4 the EEO program is another fine example of that. Not
5 only do we meet here twice a year, but in between
6 these meetings we have a number of separate meetings
7 with SBCR, with the EDO, with Ms. Norry, with the
8 individual office managers, and a whole host of folks,
9 to make sure these issues are continually addressed
10 throughout the year.

11 And the Advisory Committees look forward
12 to working with NRC management to implement the EEO
13 program in its diversity process. For example, we
14 will be continuing to talk about the ratings of older
15 employees, and the time-in-grade with Asian Americans,
16 and issues of relevance to the women and African
17 Americans and the different groups that the Advisory
18 Committees represent.

19 One final point we'd like to make is that
20 both the EEO Advisory Committees and NRC management
21 need to provide more frequent and effective
22 communication with our fellow employees so that NRC
23 efforts to strengthen EEO and enhance diversity.

24 The NRC goals and objectives for EEO and
25 diversity should be treated as key messages, and the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 progress that NRC makes towards those goals, the
2 outcomes that are achieved, should be treated as key
3 messages. Thank you.

4 MS. LITTLE: Thank you, Mike. Mike
5 referenced several issues are areas of concern that
6 the committees have worked very closely with us on and
7 are continuing to work on.

8 I want to take a moment just to say thank
9 you to the EEO Advisory Committees. They are working
10 with us as a team. We are not always a great big
11 happy team, but we believe we are an effective team,
12 and I want to say thank you to the committees for that
13 team effort.

14 This morning, I will highlight some of the
15 strategies or "best practices" that we've put in place
16 to continue to help us enhance diversity in the
17 workplace and effectively manage our diverse
18 workforce.

19 The first strategy is the Agency's
20 integrated recruitment team approach. This approach
21 includes managers and Human Resource representatives,
22 staff and members of the EEO Advisory Committees in a
23 team approach to attract highly qualified science,
24 engineering and administrative candidates for entry
25 level positions.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 This recruitment approach includes up-
2 front contacts made with colleges and universities.
3 It includes a review of resumes prior to the
4 recruitment trip, and on-the-spot offers are made and
5 sometimes recruitment bonuses are offered to attract
6 highly qualified applicants.

7 Another critical aspect of this
8 recruitment model is aggressive post-offer followup
9 with the applicants. Using this model, we have been
10 able to attract a significant number of highly
11 qualified, diverse applicants. For example, in Fiscal
12 Year 2002, over 100 written offers have been extended,
13 and 39 offers have been accepted. This represents
14 success in the number of offers that have been made in
15 a relatively short period of time, and in the
16 diversity of the candidates, and in the number of
17 acceptances. We think we know how to do effective
18 focus recruitment at this point.

19 A second "best practice" that the Agency
20 has put in place is the Alternate Dispute Resolution
21 process for resolving allegations of discrimination.
22 As required by EEOC, in January 2000 the Agency put an
23 Alternate Dispute Resolution process in place to
24 encourage early resolution of allegations of
25 discrimination.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 The ADR process provides a neutral
2 environment to facilitate discussion and resolution of
3 EEO issues. This process also encourages open
4 communication between management and the employee or
5 applicant who makes the allegation. Our experience
6 has shown that ADR is the most cost-effective and
7 efficient process for resolving EEO issues. And even
8 in cases where the final resolution is not reached and
9 a settlement agreement signed, generally both parties
10 provide positive feedback on the process.

11 Since January 2000, we have had 13
12 requests for the Alternate Dispute Resolution process,
13 and nine of those resulted in a settlement or a
14 closure. We believe that use of the ADR process has
15 had a positive impact on the participating employees
16 and managers because ADR preempts what could be a long
17 and somewhat protracted complaint process.

18 Our EEO counselors continue to be
19 effective in working with managers and employees to
20 resolve allegations of discrimination at the informal
21 level. In addition to the 13 ADR cases, 27
22 allegations of discrimination were handled by our
23 counseling staff and, at the end of FY 2001, only six
24 informal cases were pending.

25 The status of formal complaints in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 Agency is as follows: We carried over 19 formal
2 complaints from Fiscal Year 2000. During Fiscal Year
3 2001, 15 new formal complaints were filed. That's
4 down by one from the former year. Sixteen formal
5 complaints were filed in 2000.

6 During Fiscal Year 2001, 13 formal
7 complaints were closed and, at the end of the year, 21
8 formal complaints were pending. We track the number
9 of complaints filed, not as a yardstick for success,
10 we do it in order to determine if an unusual number of
11 complaints are filed in a particular office, division
12 or section because the number of complaints alone is
13 not a good measure of EEO success in an organization.

14 A better measure of success is how
15 effectively managers are working to resolve issues
16 early in the process, and whether they are using
17 lessons learned to eliminate the bases for valid
18 complaints.

19 There has been no significant change in
20 the number of complaints filed over the past three
21 years, and the number of formal complaints filed
22 within NRC is small in comparison to other agencies of
23 similar size.

24 The third strategy I'd like to discuss is
25 the use of a merit staffing checklist. This practice

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 was put in place by the Human Resources staff, and its
2 purpose is to be used by the Human Resource Specialist
3 to serve as a guide for managers when posting vacant
4 positions, to remind them to use broad rating factors
5 when possible, and to consider posting jobs at a level
6 lower than the full performance level to facilitate
7 upward mobility.

8 The checklist also serves as a reminder to
9 managers to establish rating panels that include
10 diverse members, and to interview all internal
11 applicants that make the best qualified list. The
12 overall purpose of the checklist is to increase
13 uniformity and enhance the perception of equal
14 opportunity in the merit selection process.

15 More needs to be done to educate and
16 inform our employees about the merit selection process
17 so that they are better equipped to effectively and
18 fairly compete for career advancement.

19 We believe that the Agency's managing
20 diversity initiative is another best practice. In
21 Fiscal Year 1999, the Office of Small Business and
22 Civil Rights took the lead in implementing a managing
23 diversity process within the Agency. The goal of this
24 process is to assist managers in understanding and
25 leveraging workplace diversity to enhance individual

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 and organizational performance.

2 We completed the first step of the
3 process, which was to provide orientation to managers
4 and employees to make them aware of the value of
5 diversity in the workplace. The principles of
6 managing a diverse workforce includes employee
7 participation in the planning and decisionmaking
8 process that affects them. It includes open
9 communication up and down the management chain, and
10 candid, timely and constructive feedback to all
11 employees on issues that impact the workplace and
12 their careers.

13 In the second phase of the managing
14 diversity process, my staff is working with some of
15 the Program Offices to assist managers in achieving
16 two broad goals: to identify and address processes,
17 procedures, perceptions, and behaviors that could
18 adversely impact employee morale and productivity, and
19 the second broad objective is to institutionalize
20 actions that create a positive work environment where
21 all employees are afforded the opportunity to develop
22 their full potential in contributing to the mission of
23 the Agency and in building a successful career.

24 Later in this briefing, Mr. Virgilio will
25 discuss the diversity initiative that is ongoing in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the Office of Nuclear Material Safety and Safeguards.
2 Even though the Agency has experienced downsizing and
3 realignment, and each year a significant number of
4 employees have exercised their option to retire, we
5 have continued to make incremental progress in
6 increasing the representation of women and minorities
7 in the NRC workforce.

8 For example, in 1999 minorities
9 represented 22 percent of the NRC workforce. Today,
10 minorities represent 27 percent of the workforce.
11 During this same period, the number of white women in
12 SES positions increased from 15 to 17, and the number
13 of minorities also increased from 15 to 17.
14 Minorities in senior level positions increased from 5
15 to 6, and white women in senior level positions
16 increased from 9 to 11.

17 Additionally in Fiscal Year 1999, NRC
18 hired 102 employees. Twenty-two were minority and 36
19 were women. In Fiscal Year 2001, the Agency hired 158
20 employees, 54 were minorities and 42 were women.
21 While this represents some progress -- and we are
22 proud of that progress -- there is still much that
23 needs to be done. Our challenge continues to be
24 providing timely, candid and effective feedback to
25 staff, and fostering a work environment of mutual

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 trust and respect.

2 I believe we are on the right path and
3 will continue to see improvement in our outcomes
4 provided we don't put too much emphasis on the
5 processes and not focus on the outcomes that we are
6 after. We will continue to make progress as long as
7 our strategies support our declaration that our
8 employees are indeed our most valuable resource.
9 Thank you, Pat.

10 MS. NORRY: Thank you. Martin?

11 MR. VIRGILIO: Thank you, Pat. I am
12 pleased to have the opportunity to provide the
13 Commission an overview of NMSS' approach to activities
14 regarding EEO and diversity. First, I'd like to
15 acknowledge that nothing would happen without the
16 support of the NMSS management and staff in this area,
17 particularly the 12 members of the Diversity Panel I'm
18 going to talk about in a few minutes. I'd also like
19 to acknowledge the support that we've gotten from SBGR
20 management, Irene and staff, and particularly Barbara
21 Williams, for all their efforts in supporting our
22 diversity initiatives in NMSS.

23 We believe that managing diversity
24 requires organization and cultural changes, and that,
25 for us, we identified six keys in making a successful

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 cultural change. I'm going to outline the six, and
2 then I'll give you some examples of what we've done in
3 each of those six areas.

4 First, there's the alignment of the change
5 with our organizational goals and values. Second, a
6 committed leadership that's willing and able to model
7 the desired change. Third, staff input. Fourth, the
8 establishment of an infrastructure of policies,
9 procedures and practices that reinforce the change
10 that you're striving to achieve. Fifth, effective and
11 ongoing communication. And, sixth, a measurement and
12 assessment process so that you know where you are with
13 respect to these changes.

14 The specific goals that we hope to achieve
15 through our efforts in managing diversity include the
16 following: First, enhance recruitment and development
17 and retention of a high quality, diverse workforce.
18 Second, a healthy work environment and relationship
19 amongst the staff within the organization. And,
20 third, improve quality, including innovativeness and
21 quality and timeliness of our organizational products.

22 I'll quickly review now what NMSS has done
23 in each of these six areas. First, with respect to
24 the alignment with our goals and values, we first
25 established organizational values, visions and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 expectations in NMSS consistent and complementary with
2 the Agency-based system, including an emphasis on the
3 value of successfully managing a diverse workforce.

4 We have linked our diversity strategies to
5 our core business strategies, which I think is very
6 important, and we expect our managers, supervisors and
7 staff to adopt behaviors consistent with the values
8 that we've laid out.

9 Trust is a key to any healthy human
10 relationship, of course, and in the workplace it is
11 especially important as we look to promoting
12 diversity. Trust can be achieved and maintained only
13 when a number of conditions are met. People need to
14 know what to expect. People need to know that the
15 expectations are fair and equitable, and that the
16 actions that surround those expectations are clear and
17 consistent with the expectations.

18 So, we felt it was critical to share our
19 organizational values, clarify our boundaries and,
20 most importantly, that we all talk the walk in this
21 area.

22 The second has to do with NMSS leadership
23 commitment. The NMSS executive team and leadership
24 team meet frequently to develop and monitor our NMSS
25 organizational initiatives, including our initiatives

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 around managing diversity. A senior management
2 contact has been designated for the NMSS members in
3 each of the EEO Advisory Committees. The managers
4 meet at least quarterly to exchange views on office-
5 wide concerns and practices that require additional
6 attention. A designated change agent within NMSS
7 monitors our diversity actions, and other
8 organizational and Human Resource management
9 initiatives.

10 We've also employed a part-time diversity
11 consultant to work with our Diversity Panel to design,
12 administer and interpret our diversity survey which
13 was of use to obtain feedback from the staff regarding
14 their perceptions of diversity management within NMSS.
15 The consultants also provided us diversity training,
16 group and individual coaching to help improve our
17 performance in this area.

18 The third area is staff input. Staff
19 input was obtained from an NMSS-wide survey conducted
20 in April 2001. As a result of careful planning to
21 maximize the response, we used data collection
22 strategies that resulted in approximately 75 percent
23 response rate from all of NMSS, and approximately 65
24 percent from representative and reasonably size
25 subgroups within NMSS. And when you think about that,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the typical overall response rate is on the order of
2 40 to 50 percent. So we think that 75 percent was
3 very good.

4 Now, what we got out of that survey was
5 the interpretation of the information told us that we
6 need to establish clear and more definitive
7 definitions of diversity management in the staff,
8 communicate between management and staff regarding
9 diversity management within NMSS, and enhance
10 perceived fairness and equity across subgroups in NMSS
11 regarding Human Resource management policies,
12 procedures and practices, especially those involving
13 development and recognition rewards and promotions.

14 Another item from the survey was that we
15 needed to clarify responsibilities and accountability
16 regarding managing diversity, especially with regard
17 to managers and supervisors. And, most importantly,
18 we needed to establish a mechanism to measure the
19 effectiveness of NMSS management diversity
20 initiatives.

21 I mentioned earlier the NMSS Diversity
22 Panel. This is a panel that was established as a
23 result of the survey and some of the other things that
24 we were learning about diversity, and it serves as a
25 focal point for recommending improvements regarding

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 diversity-related issues to the management team.

2 The panel consists of 12 employees who
3 were randomly selected from the NMSS personnel and is
4 representative of the demographics in our office.
5 SBCR and a union representative have standing
6 invitations to all the panel meetings.

7 First, we developed a charter, and the
8 panel charter was to develop recommendations in five
9 specific areas -- defining diversity, goals and
10 approaches to diversity that merit focus;
11 concepts/techniques for fostering an appropriate use
12 of diversity including accountability; methods for
13 fostering diversity within NMSS policies, procedures
14 and practices, particularly focused on succession
15 planning, recruitment, hiring, orientation, training,
16 work assignments, appraisals, and a recognition and
17 award system; and, finally, methods for measuring the
18 effectiveness of diversity.

19 With regard to the fourth area,
20 infrastructure and accountability, we've made some
21 changes in this area -- for example, a revision of our
22 performance elements for managers that was emphasized
23 earlier, ensuring the we stress the importance of
24 managing diversity in the organization.

25 The Diversity Panel has made some

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 recommendations regarding policies, procedures and
2 practices related to Human Resource management,
3 including greater emphasis on mutual responsibility of
4 management and staff.

5 It may sound programmatic, but I think our
6 policies and procedures must align with our desired
7 diversity outcomes. So, it's not just a matter of
8 developing programs, I think we need that foundation
9 in order to achieve our goals.

10 The fifth area is effective and ongoing
11 communication, and I think you can't underestimate how
12 much you need to communicate and communicate and
13 communicate around the issues. We've established
14 several communications mechanisms in this area. As
15 previously mentioned, we've got the NMSS members of
16 each EEO Advisory Committee now have a senior
17 management contact, and we have periodic meetings.

18 The Diversity Panel has established a Web
19 Page to include communication within NMSS on diversity
20 issues, and I invite you all to log on to that Web
21 Page. It's got a lot of good information about what
22 we're doing inside NMSS. It includes monthly updates,
23 and staff are invited to use the Web Page to provide
24 comments on the panel's recommendations to management
25 in these areas.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 The Diversity Panel has also established
2 communication boxes throughout NMSS work areas. This
3 allows staff an opportunity to make recommendations
4 regarding diversity. So, through these mechanisms, we
5 seek open and honest dialogue around diversity
6 management.

7 The sixth area is measuring effectiveness,
8 and NMSS management is currently looking at a three-
9 pronged approach that has been proposed to us by the
10 Diversity Panel. One would be a followup survey that
11 would build on what we learned from our survey this
12 time last year, and a test to see if the initiatives
13 are making progress.

14 The second piece would be specific
15 diversity activities and intervention assessments. If
16 we make a change in one area, how do we know whether
17 that change was effective? So, we would focus on
18 gathering data about that one particular change.

19 And the third is the review of statistical
20 data regarding workforce subgroups. While we believe
21 that many positive actions are taking place in NMSS,
22 we also need to measure progress in the same way we
23 measure other bottom-line organizational initiatives.

24 Now, with respect to the NMSS' workforce
25 demographics hiring and awards, as of the end of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 September of this year, we had a total of 347
2 permanent onboard employees. Nineteen percent of the
3 staff are minorities, 34 percent are female. That
4 compares overall to NRC's 23 percent minorities and 38
5 percent female population.

6 While these percentages are essentially
7 the same at the end as they were at of 2002, we've
8 been able to maintain diverse staffing levels in the
9 face of very high attrition rates. The tables in the
10 Commission Paper depict NMSS' workforce by race,
11 ethnicity and gender.

12 NMSS' recruitment efforts have been
13 twofold. We look at attracting and maintaining
14 critical skills needed for our current and future
15 licensing responsibilities and, second, ensure that we
16 are enhancing NMSS' workforce racial, ethnic and
17 gender diversity.

18 We fully supported the Agency's initiative
19 to establish ongoing and effective relationships with
20 targeted colleges and universities, and we believe
21 this provides great potential for attracting high
22 quality, diverse applicants. We've also established
23 cooperative education agreements with nine colleges
24 and universities.

25 During 2001, NMSS filled 31 positions, of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 which 16 were technical hires. Six, or 38 percent, of
2 the technical hires were at the GG-5 through GG-11
3 entry level. Stepping back, of the 31 positions that
4 I talked about that were filled, 7 were filled with
5 minority candidates, 15 with white females, and 9
6 white male hires.

7 NMSS has implemented the traditional
8 awards program which recognizes employees for
9 exceptional performance. As an addition, we've
10 implemented the Employee of the Month program which
11 provides us another opportunity for recognizing good
12 staff performance.

13 If you look at the statistics within NMSS,
14 you find that the distribution of awards closely
15 follows the ethnicity and general percentages of the
16 NMSS onboard staff.

17 In summarizing the data, I think NMSS has
18 maintained a constant level of staff diversity through
19 2000 and 2001, despite our high attrition rate.
20 Nonetheless, as everybody at the table has mentioned,
21 we will continue to strive for continued improvement
22 in this area.

23 In conclusion, I'd like to say that we're
24 proud of the course that we've undertaken in NMSS
25 regarding managing diversity. We acknowledge issues

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 such as the high attrition rates provide temporary
2 stumbling blocks to success, but we remain steadfast
3 in our commitments and belief that the importance of
4 managing diversity is worthy of pursuit, and we
5 welcome your support and feedback. Thank you.

6 MR. TRAVERS: Mr. chairman, that concludes
7 our presentation this morning.

8 CHAIRMAN MESERVE: Thank you very much.
9 I much appreciate the thoughtful presentations that
10 all of you have made. I believe it is Commissioner
11 Dicus' opportunity to go first this morning.

12 COMMISSIONER DICUS: Thank you, Mr.
13 Chairman. First of all, the first question goes to
14 the intern program, which I'm pleased to know is being
15 successful and certainly support. I hated to see it
16 go away in the first place.

17 What kind of -- could you elaborate a
18 little bit more on the feedback from the managers, how
19 well the interns are doing, and then maybe what
20 feedback you're getting from the interns themselves?

21 MR. BIRD: I could comment on that, and
22 this is anecdotal feedback. I think, overall, it's
23 very positive from the managers' perspective. I think
24 they, as a body, are impressed with the credentials
25 and the abilities of the people that have come in so

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 far. I think they are equally as impressed with the
2 credentials of those who will be coming during the
3 next few months, and that's a fairly large number of
4 new, additional interns that are coming in.

5 I get feedback from the Technical Training
6 Center in Chattanooga that complements that feedback.
7 The groups that have been down there have been
8 successful overall. Again, I think the staff at the
9 TTC has been impressed with the ability of the people
10 that are coming in for the intern program and going on
11 to Chattanooga. So, I think it really, overall, bodes
12 very well. I have not had negative feedback. We
13 haven't been in a position of addressing probationary
14 removals or anything of that nature, which one might
15 expect with the intake of new employees.

16 At this time, again, in my opinion based
17 on the feedback that we're getting from various
18 offices -- and Marty might speak to that -- I think
19 it's a very, very positive sign on entry level hiring
20 being successful.

21 MS. LITTLE: If I could just add one
22 comment on that, I'm sure there are a lot of examples,
23 but I'm aware of one particular example from Region I
24 where they have a formal program to welcome and help
25 to orient their interns. They actually have a meeting

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 with the Regional Administrator. There's a
2 coordinator that has been identified at the Regional
3 level to work with the interns to try to get them
4 incorporated into the workforce, not just from a work
5 perspective but a little bit from a social
6 perspective, and I think that's important when you're
7 bringing in new employees, younger people, to a
8 workforce that is pretty much Baby Boomers. So, I
9 think some of the offices, Region I notably, has put
10 together a process to make that happen.

11 MR. VIRGILIO: I would just like to
12 underscore what Irene just said. That's really
13 important, we can go out and hire the interns, but if
14 we don't indoctrinate them, orient them, they'll get
15 lost in the system, and it's important that we
16 particularly pay attention to them as they move
17 forward through the system.

18 COMMISSIONER DICUS: I would agree. In
19 effect, what's happening in Region I -- and regional
20 offices are not as large, obviously, as we are here at
21 Headquarters. So, what are we doing at Headquarters
22 to be sure they don't get lost in the system?

23 MR. BIRD: I think, again, that the
24 offices overall have embraced this. They work with my
25 staff and with SBCR sort of continuously on what we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 can do to improve. We've got some very good
2 suggestions from staff involvement with that.

3 One of the things that's always a
4 challenge with someone coming is housing. We're
5 working harder on trying to work with that issues.
6 The expense of the area and how you can get people
7 together to share apartments and that sort of thing,
8 again, that's something we need to continue to work
9 on, is the transition from the colleges to this area
10 and getting the housing and the fundamentals sort of
11 settled so that they can become productive employees
12 rather quickly. And that's an ongoing challenge.
13 Again, the feedback that we get is the informal part,
14 in some respects, at the beginning, is as important as
15 the formal part of what we're offering them in terms
16 of job opportunities and training and so forth. And
17 so I totally agree with what's being said here, with
18 the effort that goes into the orientation and trying
19 to make people feel comfortable and to be introduced
20 to others in their same age group.

21 We had a recent group of interns that came
22 in that our current interns spoke to, and I thought
23 that was an extremely productive session. And it was
24 followed by an opportunity for a social event where I
25 think many of the people that came joined the people

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that were here and went out for the evening. Again,
2 I think that built a lot of informal dialogue and
3 connections that was invaluable in this process, and
4 that's something we need to continue to focus on.

5 MS. LITTLE: There are two other examples
6 that are going on in Headquarters. One is the EEO
7 Advisory Committees. The Hispanic Committee has been
8 very active. The Asian Committee, African American --
9 the committees have made a commitment to do some
10 personal mentoring to new people that are coming in,
11 and that really works well.

12 Our facilitated mentoring program is
13 available also, to help employees find mentors with
14 the help of their supervisors, so that they have a
15 mentor that they can talk to and consult with in case
16 they have issues they need to informally resolve.

17 I'm sure we can do more, but some things
18 are being done.

19 COMMISSIONER DICUS: Okay. Thank you. I
20 note you have recently hired a contractor to help with
21 diversity management, or to look at diversity issues
22 that might exist. I know it's rather recent. Is it
23 too soon to have any feedback on what the contractor
24 is doing or coming up with? And if it is, I'll ask
25 the question again in six months.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. LITTLE: The answer to your question
2 is yes, it's too soon, but we do have an idea what to
3 expect. We've put together a very comprehensive
4 Statement of Work. We worked with NMSS in getting the
5 contractor that they have so that we do know exactly
6 what we expect. We can't address what the outcome
7 will be, but the element of a good managing diversity
8 process, you've got to have leadership from the top.
9 And so we want to work specifically with the office
10 directors to do some specific things in their offices,
11 and there's got to be training, and the contractor can
12 provide training and other tools and interventions --
13 is what the contract referred to it as -- to assist
14 managers in identifying things that need to be
15 changed, and giving them tools for making that change.
16 Accountability -- those are the things that Marty
17 talked about. Employees need to know who is
18 accountable for what, and what to expect. And there
19 needs to be some proactive efforts on our part as the
20 leaders of EEO in the Agency, and I think we're doing
21 that. Hopefully we can provide some more specific
22 outcomes as we experience what the contractors will be
23 doing.

24 COMMISSIONER DICUS: Thank you. With
25 regard to the attrition rate in NMSS, I know that you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 are looking at why you have the high attrition rate.
2 Again, maybe I'm asking too soon, but if you have
3 completed that evaluation or if you have any
4 preliminary ideas why this is the case, or do you want
5 to study it further and get back with us later?

6 MR. VIRGILIO: We have been monitoring it
7 for the last several years, so I can give you some
8 perception as to what's going on. On an Agency-wide
9 basis, I think the attrition rate is running around 9
10 percent. What we're seeing in NMSS is anywhere from
11 12 to 14 percent. It's a significant turnover for us
12 that turns out to be on the order of maybe 40 to 45
13 people per year.

14 So, we've looked at the statistics around
15 that, and the driver of the largest, the dominant, it
16 tends to be that movement outside of NMSS but within
17 NRC. So, it's roughly 50-some-odd percent of our
18 staff turnover is to other offices within NRC, and we
19 think that's a good thing. We are encouraging people
20 to get out, to broaden themselves, to seek other
21 opportunities. It's a small organization, we'll be
22 back together again, is what I usually tell people as
23 they move out -- either I'll move or they'll move --
24 and it's a good thing.

25 The next largest contributor tends to be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 retirements. So, we're seeing on the order of 20
2 percent. That's, I think -- and Paul can correct me
3 -- I think what we're seeing is less retirements in
4 NMSS than some of the other offices, just the
5 demographics. We tend to have a younger crowd in
6 NMSS.

7 And then the third tends to be people
8 moving out of NRC. That's roughly 15 percent. So,
9 it's 50, 20 and 15 percent. That 15 percent is
10 tending to move out for promotions outside and to go
11 into other industries. The other thing we have, I
12 think, is a very marketable workforce. People inside
13 NMSS are marketable outside of the NRC, and so that's
14 a contributor to our losses.

15 MR. BIRD: If I could just comment on
16 that, external attrition is different than internal
17 attrition, and basically what Marty is talking about
18 is the impact of both those affect an individual
19 office. In NMSS' case, their external attrition is
20 around, last year in 2001, was close to -- a little
21 under 7 percent whereas the Agency's overall external
22 attrition was right about 6 percent. So, there is a
23 little bit of differential there. But then they had
24 the largest number of people who moved from their
25 office to another office. And that, of course, was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 offset by people moving from other offices to NMSS,
2 and that's not in this data, so we're going to try to
3 look at that as well because we believe that the
4 movement internally is very good for the organization,
5 and we want to encourage that and not have it
6 misconstrued as a loss to the Agency when someone
7 moves from one office to the other.

8 COMMISSIONER DICUS: It's just a loss to
9 that particular office.

10 MR. TRAVERS: We'd like to actually even
11 encourage people who are leaving the Agency to think
12 of us later in their career, and we actually have been
13 quite successful in hiring some people back. I hired
14 back Drew Persinko from a job that he had, back into
15 the Agency. So, there are a number of examples of
16 that as well.

17 COMMISSIONER DICUS: I just have a couple
18 more -- I'm about to use up my fair share of time
19 here. I know that we are -- the term, I guess, is
20 "outsourcing" some of our jobs based upon OMB's sort
21 of requirements that you identify positions that could
22 be done by the private sector, and to what extent we
23 might be doing that in terms of when we are looking at
24 positions that might be handled by the private sector
25 and making an evaluation of that position, is it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 included in that evaluation any impacts having that
2 particular position or activity done in the private
3 sector, looked at as what it might do with our EEO
4 diversity?

5 MS. NORRY: Well, we'll have to look at
6 that, but right now we're still at the beginning
7 stages of this. We are required by OMB to have 5
8 percent of our positions that -- we've already
9 identified the positions that can be commercial in
10 nature. We've already done that. And that resulted
11 in a certain number for the entire Agency. We're
12 required to have 5 percent of those that are actually
13 contracted out or subject to a competition between
14 Federal and private sector in 2002.

15 In 2003, that doubles. So, we'll have
16 more of a challenge as we go on. Obviously, we'll
17 have to look at EEO impacts along with a lot of other
18 impacts as we pursue this.

19 COMMISSIONER DICUS: Okay. Final
20 question. I have the opportunity to be corrected, but
21 it's my understanding, in a vague way actually, that
22 in order to be considered for an SES position, you
23 have to have gone through the SES program. Is that
24 true or not?

25 MR. TRAVERS: Let me address that. What

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 we have done --

2 COMMISSIONER DICUS: And I don't have an
3 opinion one way or the other, I'm just trying to get
4 some information.

5 MR. TRAVERS: The short answer is no.
6 That's the short answer. The longer answer is what we
7 have done in establishing this program is suggest to
8 the management team who are responsible for vetting
9 people into the program is that we need to do a good
10 job at the front-end of that process, and there should
11 be an expectation that if we do that good job at the
12 front end, that we should have a corollary pool of
13 good candidates when they graduate, so that our first
14 look for filling new positions or positions that are
15 coming open within the SES should be, in my
16 expectation to the management team is that they will,
17 in fact, look first to that qualified pool of
18 individuals who have already been vetted through a
19 formal process of the Agency. It doesn't mean that
20 there's a 100 percent lock that if we have to fill
21 each position that comes up, but as a minimum the
22 first thing that's going to occur and the first thing
23 that has occurred is that we've looked to that pool
24 for the first identification of qualified people who
25 could fill the jobs.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And to talk about results, I can tell you
2 that I don't know of a single -- you can correct me --
3 of a single instance where we have filled a job in
4 recent months, or perhaps the last year, year and a
5 half or so, that hasn't been filled with a qualified
6 graduate of our SES Candidate Development Program, and
7 I think that's a good thing because it emphasizes a
8 whole host of things that we expect in the conduct of
9 that program.

10 MS. NORRY: And we're not going to get
11 good people to apply for this program and to go
12 through the year and a half of training for this
13 program, if we don't make that kind of a commitment.
14 And so all of the senior management of the Agency
15 participated in making that commitment, which is
16 basically you've got to prove to me why you're not
17 putting one of those candidates in the job. And then
18 if you get it by me, you've got to prove it to Bill.
19 I mean, I think you have to make that kind of a
20 commitment in order to make these programs really
21 work.

22 MS. LITTLE: If I can make one comment, I
23 think this is an example where we learn from our past
24 mistakes. When this was not the case and there were
25 certified people in the SES program that could have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 been selected and we went outside and posted, it adds
2 to the perception of preselection or not giving
3 minorities an opportunity to get selected for these
4 jobs, especially when persons that are certified are,
5 indeed, minorities. So, this is a good thing from an
6 EEO perspective.

7 COMMISSIONER DICUS: Okay. And I don't
8 disagree with the comments that you've made, I want to
9 make that clear. I'm not criticizing this particular
10 situation because I think it makes sense that if a
11 person is going to devote their time to the program
12 and if the Agency is going to support the program, it
13 should have some meaning on the other end of the
14 program. So, I don't necessarily disagree with that
15 at all.

16 I would only say, as a closing comment,
17 that that being the case, and since I've surfaced it,
18 at least those here and those listening are realizing
19 it, but we make it clear across-the-board to our
20 entire staff that that is a good way to get an SES
21 position, a good pathway to take, and that everyone is
22 aware of that. I think that would be very important.
23 Thank you.

24 MR. TRAVERS: I agree, and I think it
25 should be an advertisement for the broadest possible

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 sort of interest being expressed by employees that are
2 interested in going in that direction because this is
3 our intent, to work the program in just that way.

4 COMMISSIONER DICUS: Thank you, Mr.
5 Chairman.

6 CHAIRMAN MESERVE: Commissioner Diaz.

7 COMMISSIONER DIAZ: Thank you, Mr.
8 Chairman. Let me start by thanking Mr. Marshall for
9 his comments, and especially for singling out people
10 over 50. I have a vested interest in the fact that
11 there is a small probability -- I must say small --
12 that I will ever reach that area, but it's there.

13 I debated whether to go at the performance
14 measures or to actually take a broader look, and
15 normally I decided to take a broader look at what has
16 happened, so let me just make a couple of comments --
17 and this isn't new, I've said it before, as a person
18 that was involved with programs very actively -- for
19 years I directed minority programs as a sideline,
20 although they became more than a sideline -- is that
21 this program really essentially exists to eliminate
22 the reasons of its existence. The long goal is that
23 we don't need them anymore, and I think that is a
24 vital principle that must rule what we do.

25 Eventually, the effectiveness of this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 program is eventually, not at any one time, is
2 determined by the decreasing need for action,
3 decreasing need for activity, decreasing need for
4 achievement, decreasing number of challenges, and I
5 think that's something that we must realize, that
6 really if we are doing good, then we don't need to do
7 that much anymore.

8 The ultimate goal, of course, is to make
9 sure that the dignity of each person, and the dignity
10 of the diversity is so valued that race, ethnicity,
11 national origin or religion disappears in the
12 background. It's not something that you need to deal
13 with, but it's something that really slowly, but
14 surely, gets overwhelmed by the performance of the
15 individual, by his work ethics, by all the things that
16 he does.

17 So, I always get concerned that programs
18 getting more effective or large, and that might be an
19 indication that awareness is permeating the structures
20 and, therefore, there are more things to do. On the
21 other hand, progress should be measured in the fact
22 that really sometime -- and I don't know when that
23 time is, and that will be the question -- that these
24 programs eventually should be carried out in a way
25 that slowly there won't be that much need for it.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Having been here now on this side of the table -- this
2 is my sixth time -- where are we? Is there more need
3 for the EEO programs of five years ago? Does that
4 mean that the awareness of the management, everybody
5 in the Agency has increased and therefore that
6 increases the need for activities? Is it level
7 enough? Is it coming down? Where are we?

8 MS. LITTLE: That's a big question, but
9 I'm going to take a stab at it. We certainly still
10 need in the EEO program the measures of progress
11 sometimes attenuate to change. If I could go back to
12 the '70s -- I wasn't here, but I was the EEO Director
13 at the Environmental Protection Agency -- there were
14 basically quotas. And so the success was in pure
15 numbers. And so that was successful. When the quotas
16 went away and we moved to affirmative action, we
17 looked at actions. The emphasis was on efforts and
18 actions. And that was the case for a while. And
19 someone looked around and said, "We've got a lot of
20 processes in place, but we don't have much outcome".

21 The newest thing is what are the outcomes?
22 And what we are trying to do here today, we are
23 talking about managing diversity. We want to
24 institutionalize a way of thinking so that whoever
25 sits on that side of the table, whoever sits in my

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 chair, whoever sits as the EDO, will not have to start
2 over again with their own personal philosophy and
3 commitment. It will be institutionalized within the
4 Agency. And we believe that if we can pursue a
5 managing diversity process so that the culture in the
6 Agency does exactly what you suggest -- places
7 religion, race, ethnicity in the background and merit
8 and employee development and contributions to the
9 mission up front, we have then succeeded. Now,
10 whether the bar will change in five years, don't know.
11 But that's where we are trying to get.

12 COMMISSIONER DIAZ: That's an excellent
13 answer. I really appreciate it. I'm impressed.
14 Excellent answer. So, now going down to the bottom
15 line, is the number of activities that you have to
16 conduct increasing?

17 MS. LITTLE: Could you clarify
18 "activities"?

19 COMMISSIONER DIAZ: Everything you do, the
20 amount of effort, resources, the amount of time that
21 people are putting. It's not bad, by the way, it
22 might very well be that you will be successful, that
23 people are realizing what needs to be done and
24 therefore you need to do more. Is it getting larger
25 and, if so, why? And are you being successful at

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 institutionalizing diversity in a manner that you are
2 getting to the point where there is a program that is
3 now steady and addressing the issues -- because I
4 applaud the efforts in hiring, which is half of the
5 battle -- maybe not half, maybe 30 percent of the
6 battle -- and efforts that are being made to make sure
7 that our employees have the right opportunities when
8 they are here, and they are not only treated fairly,
9 but they feel they are treated fairly because that is
10 important. There's that cultural issue, am I being
11 treated fairly? So, the issue is are we getting to a
12 point where the number, the quality, the intensity of
13 activities that are devoted, is it flat? Is it
14 increasing or decreasing, and why?

15 MS. LITTLE: I will again take a stab at
16 it. That's a big issue, a big question. If I were to
17 react to whether employees believe today that the
18 system is fairer and that the perception of unfairness
19 is decreasing, I would have to tell you that answer is
20 no. I do not believe that employees today believe
21 that the system is fair.

22 On the other hand, I believe the system,
23 if you look at the managers and the processes and what
24 we are doing, I believe we are doing a lot to make the
25 system fairer. We are not communicating it well

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 enough because employees do not believe in the system,
2 as a whole. We don't have a survey, we haven't had a
3 broad survey asking that question for a while, but the
4 anecdotal information, the issues that play out in our
5 space, from the EEO Advisory Committees, the employees
6 believe that a lot more needs to be done to ensure
7 that every subgroup in this workforce is treated
8 fairly, it's not that way.

9 What are we doing? Some of the things we
10 are doing in my office -- we spent a lot of time
11 planning special emphasis programs, and I think you
12 all participated in the decision that says "let's not
13 spend 40 percent of our time planning and executing
14 five to six special emphasis programs, let's do a
15 diversity day. Let's take those resources and spend
16 them on something else like managing diversity".

17 I do know that all the office directors in
18 this Agency, for the most part, have identified things
19 that they are specifically and personally doing to
20 help the process work. NRR, NMSS, the Regions,
21 Research, a lot of the office -- OGC, Admin -- they
22 have programs that say "I'm aware of what I need to be
23 doing", and I think a lot more of that is happening.
24 We need to communicate it better.

25 There is still a lot that needs to be done

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 because employees' belief and trust in the system is
2 key to whether we have an effective program.

3 COMMISSIONER DIAZ: Thank you. Let me
4 just make one comment and then go back to the
5 questions. I really believe, because I have
6 experienced it, that any improvement that is effected
7 on any one group actually benefits all the groups
8 because it is the issue of how those efforts permeate
9 the structures. So, improvement for African Americans
10 benefit Hispanics, improvement for Hispanics benefit
11 Asian and African Americans. I think it is very
12 important that that be clear. It is never an effort
13 for any group, it is an effort for everybody, and
14 everybody of course includes this group that we call
15 "white" that are sometimes very preponderant, but they
16 are part of us, they are part of what we do, and they
17 actually need to be considered also.

18 Having that said, and I listened
19 attentively to you, occasionally the Commission can do
20 a little more if we are brought up with the issue. Is
21 there anything that the Commission could do to
22 actually to affect things that are maybe taking too
23 long or are not clearly understood, and maybe that
24 should be directed to the EDO, or eventually, since
25 the buck stops there, that you eventually will go that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 way. But is there anything that really should come to
2 the Commission, that the Commission should consider
3 this, because I know my fellow Commissioners are as
4 worried as I am that this programs really go forth,
5 and that eventually, you know, by the time
6 Commissioner McGaffigan goes out of here in his fourth
7 term, we will actually sit in here and say this is
8 really going well and it is time now to move into
9 something else.

10 MS. LITTLE: I'm sure the EDO and my boss,
11 Pat, probably want to say something about this as
12 well, but my response to that is I'm sure there are a
13 lot of things that we can ask you to do to help us
14 with the program. I would like to think about that
15 and respond to that in a much more comprehensive and
16 well thought out manner than here. If I say something
17 here, it may not be the most important thing.

18 COMMISSIONER DIAZ: I hope you do.

19 MS. NORRY: I would just say that I'm sure
20 the Commissioners can do a lot in the communication
21 phase of this. One of the things that -- if you say
22 we're having increased activities, we are. But a lot
23 of it relates to how well we're communicating, and
24 that goes across the Agency, of course. We're trying
25 to do a much better job in general of communicating,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 so obviously the Commissioners have a role in that as
2 well.

3 MR. TRAVERS: Pat actually stole my
4 answer, but communication, as an example -- walking
5 the walk, talking the talk -- I think the Commission
6 is actually engaged in that. I mean, several examples
7 that I think of are opportunities that you
8 periodically make on your staffs for rotational
9 assignments and the like are opportunities for a
10 diverse group of employees to gain a better insight
11 into the higher level workings of the Commission.

12 But, by example, I think in the sorts of
13 comments that Pat made, by communicating the
14 expectations that the Commission has of us in carrying
15 out this program, I think that's a principal means
16 that I see as you are positively impacting the end
17 result that you would like to see occur.

18 COMMISSIONER DIAZ: Thank you. I look
19 forward to finding out what Ms. Little and you
20 actually believe that could be added to our tasks.
21 Thank you.

22 CHAIRMAN MESERVE: Commissioner
23 McGaffigan.

24 COMMISSIONER MCGAFFIGAN: Thank you, Mr.
25 Chairman. I'm going to ask one question -- I probably

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 should have told you it was coming, but I didn't know
2 it was coming until I sat down here, because it's
3 probably technical. But in response to the last
4 Commission meeting, one of the issues we had raised
5 was whether the Center in San Antonio could be more
6 involved in the HBCU program, and the answer we got
7 back is we can involve them, but not with Nuclear
8 Waste Fund monies, which is most of what their monies
9 are, and there's a statutory impediment apparently to
10 using Nuclear Waste Fund monies for HBCU purposes.
11 And, honestly, as I read that, I found that
12 surprising, given my previous experience with Senator
13 Bingaman and Senator Domenici, where we routinely
14 pressured the laboratories to engage in minority
15 activities with our universities, trying to recruit
16 Hispanics, African Americans, et cetera. And nobody
17 ever said to me funds prevent us from doing that.

18 So, what is the statutory impediment and,
19 if there is one, is it one we could remove?

20 MS. LITTLE: I don't know if we can remove
21 it. We talked to the lawyers and they indicated to us
22 that, No. 1, the funds cannot be augmented because we
23 have monies -- we have monies that we have in our HBCU
24 program and we wanted to place the students and
25 faculty from the HCBU colleges at the Center, but they

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 cannot do that because they would be augmenting the
2 fund, and we couldn't do that. I do not know the
3 legal reasons for that.

4 MS. CYR: It's a question of augmenting
5 our appropriations for nuclear waste because we get a
6 specific appropriation for nuclear waste activities.
7 To the extent that I took General Funds and was trying
8 to augment work on nuclear waste to do that -- so if
9 you took SBCR funds --

10 COMMISSIONER McGAFFIGAN: Why can't I just
11 have some of the Nuclear Waste Fund go to -- along
12 with the General Fund, and mix them. I mean, is there
13 any prohibition to giving this Oak Ridge group that
14 runs the HBCU program for us some Nuclear Waste Fund
15 monies, so you wouldn't be augmenting the Nuclear
16 Waste Fund with General Fund, you'd be using Nuclear
17 Waste Fund money just like we use General Fund money
18 to work with Historically Black Colleges and
19 Universities.

20 MS. CYR: The question would be whether
21 that would be being spent on nuclear waste activities.
22 I mean, because you have to spend on nuclear waste
23 activities whether depending on how that money was --
24 purposes and what the individual was doing and how you
25 were spending that money, whether that would be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 construed -- I mean, I guess that is our concern in
2 terms of how you set that up, whether in fact what you
3 were doing was, in fact, spending it on nuclear waste
4 activity.

5 COMMISSIONER McGAFFIGAN: I would hope
6 that if we had somebody at the Center from an
7 Historically Black College and University working on
8 something in nuclear waste activity, it would be
9 regarded as a nuclear waste activity, it wouldn't be
10 -- I certainly hope all this activity in the HBCU
11 program is not make-work, that it really is work that
12 helps advance our programs and has a programmatic
13 goal.

14 MS. LITTLE: Let me respond to that. We
15 actually match up the students and faculty with NRC
16 projects so they are working on specific NRC projects
17 at the Labs.

18 COMMISSIONER McGAFFIGAN: I don't want to
19 belabor this and use all my time. I think you need to
20 take a second look at this, to be -- Commissioner
21 Merrifield?

22 COMMISSIONER MERRIFIELD: I think when we
23 asked that question, it wasn't so narrowly focused to
24 say having those folks work just on issues associated
25 with the economic project, there's a notion of can

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 they work at the Southwest Center on other activities
2 utilizing those monies. But I think the answer that
3 was -- the question that was answered by OGC was a
4 narrower question rather than the more expansive one
5 that the Commission was looking at.

6 COMMISSIONER MCGAFFIGAN: The answer that
7 we got from the EDO on November 19th said we could
8 only use these monies apparently because the money
9 that goes to RIs -- now that I understand it, the
10 money that goes to Oak Ridge comes from the General
11 Fund, therefore, we have activities at the Center,
12 things like West Valley or whatever that are General
13 Fund activities, and the determination was made that
14 we could place people if they wanted to work on those
15 sorts of projects, but we couldn't place them working
16 on Nuclear Waste Fund projects because we weren't
17 using any Nuclear Waste Fund money to fund RIs. It
18 strikes me that you could mix in some Nuclear Waste
19 Fund money to the extent that we thought there were
20 useful activities that an HCBU professor or student
21 could do, and then you could use that money at the
22 Center and it would tax the Nuclear Waste Fund in a
23 very small way, I suspect, but it's something I just
24 think we should consider.

25 The other thing -- I've mentioned it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 previously, and I'm aware of it because it applies to
2 the Department of Defense -- but there are also
3 incentives in law to work with Hispanic-serving
4 universities similar to the HCBU program, that apply
5 to the Department of Defense. I know we don't have
6 that authority here, but have we ever thought about
7 seeking that authority, because I, again, think that
8 the relationships you forge at the student and with
9 universities can help in the recruitment in the longer
10 term. So, again, I'd just raise the issue as to in
11 the future in our legislative programs, should we
12 proactively look at the DOD language and see whether
13 that language could be applied to us. These are very
14 small taxes. I know that programs tend to regard them
15 as taxes, but if they are properly expended, they can
16 be -- that the taxes can bring a profit, unlike most
17 taxes, unlike the taxes that we pay to the IRS, I
18 suppose, but whatever. So, I just throw that out as
19 a suggestion.

20 One of the other things I saw, looking at
21 the data, I know we're going to have an opportunity to
22 fix this because we, for the first time in years, are
23 going to be growing in terms of our FTEs this year and
24 next, if Congress supports our FY 2003 budget, but the
25 table on page 2 of whichever annex, showing the age

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 profile of this Agency, we've gone from when
2 Commissioner Diaz and I showed up and Commissioner
3 Dicus -- she was here, I think, in '96 -- I showed up
4 at the end of FY96 and the start of '97 -- we went
5 from 24 percent of our workforce being 39 and under,
6 to 19 percent of our workforce being 39 and under,
7 from 741 people in '97 to 539 in '01. Now, there's a
8 lot of 36-year-olds or 40-year-olds who managed to
9 bump themselves up to the next category during that
10 period, but we really are still -- we don't have,
11 based on this data, a very happy age profile and, from
12 the point of view of having this Agency be
13 reinvigorated over a 10- or 20-year period, from the
14 point of view of being one of the 539, you know, your
15 odds of being EDO are probably never better 20 years
16 from now, but I think we need to think about it. I
17 mean, I know it's going to be addressed, but I think
18 we need to look very hard at how we -- you know, at
19 getting this percentage back up at least to the '97
20 level. And I know why the decline, we weren't hiring
21 a lot of people, we were hiring just to replace and we
22 weren't always fully hiring for replacement because
23 our FTE numbers were going down. We have a real
24 opportunity to fix this, and I just urge us to take
25 it.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. TRAVERS: You're right, I think we do
2 have an opportunity, and part of that opportunity lies
3 in the fact that we are growing, as you mentioned, for
4 a number of reasons. The target that I laid out in
5 March of '01 of 25 percent entry level was in part --
6 not entirely, but in part -- intended to help overcome
7 of the statistic, and recognize that going forward
8 we've got to put ourselves in a position where we're
9 not vulnerable to a great deal of our expertise
10 walking out the door on any given day of the week.

11 We've actually exceeded those, as I
12 mentioned early in my presentation. In fact, I think
13 last quarter we were up to 40-some-odd percent entry
14 level hires. So, it's a continuing challenge. It's
15 not going to be turned around in any given quarter, or
16 perhaps any given year, but it's one that we're going
17 to have to continue to be conscious of and direct our
18 efforts to overcoming.

19 COMMISSIONER MCGAFFIGAN: I agree, it's
20 something -- there's another table in here -- you
21 know, you look at these statistics and they tell
22 stories. In the 56-plus range of managers and
23 supervisors, we went from 65 in '00 to 75 in '01.
24 Now, there are a fair number of retirements during
25 that period, so we have a heck of a lot of 56-year-old

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 managers who are 56 in '01 in this Agency, because I
2 don't think we hired anybody from the outside into
3 that, and we have obviously a heck of a lot of people
4 over that age. If you are 56-plus today, your chances
5 -- unless you are a saint -- of being here a decade
6 from now are not high. So, that's 75 people that
7 we're probably going to have to replace certainly in
8 the next decade, and many of them sooner. So, there's
9 just going to be an enormous turnover in this place in
10 the next few years, is what this data is telling us.

11 MR. TRAVERS: We use that factoid to
12 attract new people to come into the Agency, and
13 suggest that there are going to be opportunities at
14 NRC in upcoming --

15 COMMISSIONER MCGAFFIGAN: I think that
16 should be part of our communication strategy, you
17 know, there are a lot of upward mobility potential in
18 this Agency.

19 Are we trying to -- in terms of retention
20 of these younger people, are we trying to track, say,
21 at the three-year point, whether we've retained the
22 people that we hired? Do you have any tool looking at
23 retention of people we're hiring so that we know where
24 we stand and whether we're keeping them?

25 MR. BIRD: That's exactly the benchmark

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that we've established for looking at this, and we
2 have begun tracking it. And we haven't had the three
3 years to measure whether we were successful or not,
4 but if you look at the Green Book, in the back, I
5 think that is represented there. We are --

6 COMMISSIONER MCGAFFIGAN: You're going to
7 have a performance measure on three-year retentions?

8 MR. TRAVERS: Yes, but it's numbers and
9 basis. In other words, individually, as people leave
10 the Agency, we have exit interviews where we seek to
11 elicit what it is that's the reason.

12 COMMISSIONER MCGAFFIGAN: I think that's
13 important. It was mentioned that you are trying, in
14 recruiting people, you're looking at course work in
15 addition to their GPAs. That could be for two reasons,
16 I hope it's for the good reason. When I look at grade
17 inflation that's happening in the campuses -- you
18 know, that the new President of Harvard is taking on
19 his faculty because I think over 50 percent of the
20 grades given there are As nowadays, which makes it
21 hard to tell one student from another, and apparently
22 that's happened elsewhere. There was an article in
23 the paper the other day about a fellow not getting
24 tenure because he was a hard-ass about giving out Bs
25 and Cs, and they basically wouldn't retain him at that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 university -- at least that's the allegation that he
2 made.

3 So, if everybody has got 4.0s or 3.9s or
4 3.5s, you have to look at the course work to make sure
5 that this isn't somebody that's just being passed on
6 to us by a bunch of university professors not willing
7 to do their jobs, or is it -- the alternative theory
8 is that, you know, we're trying to justify taking
9 people with 2.5 or 2.0 GPAs based on taking a peek at
10 their course work and seeing whether they might still
11 be good enough for us.

12 MS. NORRY: The focus of this is -- and I
13 don't think this is something that's going to end up
14 being widespread because, when we established the
15 requirements for the intern program, we did so with an
16 idea that we wanted to maintain standards at a certain
17 level, and that's what we have. But we were getting
18 feedback from program officials who interviewed
19 people, who said, "You know, this person -- there
20 could be various reasons why their GPA was not up
21 where the level should be", but they looked at other
22 factors, and they wanted to have some flexibility to
23 be able to occasionally bring someone like that
24 onboard. And so we thought that was a good thing.

25 COMMISSIONER MCGAFFIGAN: I'll just tell

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 you, I haven't done a lot of hiring in recent years,
2 but in Senator Bingaman's office, we had to hire
3 people to be mostly legislative correspondents. And
4 they had to be able to write. And I was turning down
5 people from major law schools who had good GPAs at the
6 law schools, who could not -- we had to institute a
7 writing test in order -- which we would give them on-
8 the-spot -- here's a letter, take a crack at answering
9 it -- in order to figure out who could write and who
10 couldn't write simple declarative sentences.

11 MR. TRAVERS: We hope you don't give that
12 standard to the current NRC staff.

13 (Laughter and simultaneous discussion.)

14 COMMISSIONER McGAFFIGAN: I'm not real
15 big, as you can tell, on our university system at the
16 moment because I'm not sure it's doing its job.
17 Obviously, some very, very good people get through it
18 and do well, and some people get passed through it who
19 really aren't very competent because the professors
20 won't do their job and actually give out Bs and Cs and
21 Ds. I'm sure Professor Diaz was not one of them, but
22 I think with that I'll leave.

23 CHAIRMAN MESERVE: Commissioner
24 Merrifield.

25 COMMISSIONER MERRIFIELD: I'll play off

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that comment in going back to the answer that Irene
2 gave to Commissioner Diaz' first question in which he
3 mentioned it was an excellent answer. We have enough
4 people in this Agency who have been students of
5 Commissioner Diaz who can attest to the fact that he's
6 not an easy grader, so I think you should take that as
7 quite a compliment.

8 As we go through this, I think that the
9 questions that have preceded mine talked to the issue
10 of balance, and that is we have had a notable success
11 in our ability to bring in new entry level people, and
12 I think it goes without question that so far that has
13 gone very well.

14 Keeping those people and making sure that
15 we have people coming in at the mid-levels to fulfill
16 all of our needs is important, too. And on the
17 balance issue, I'm reminded of an old example of what
18 happened in the former Soviet Union. There was an
19 instruction, a five-year plan to make glass. And in
20 the first five-year plan, they said we want to have a
21 certain number of meters of glass, and that
22 prescription was made, but they found out that the
23 glass was very, very thin and kept breaking. So, in
24 the second five-year plan they said we're going to
25 require our glass to be manufactured, and they put a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 tonnage weight on it, and they found out that they had
2 very thick glass that didn't meet the requirements as
3 well. And meeting that sort of "sweet spot" in the
4 middle, I think, is something that we're going to have
5 to continue to try to achieve in order to get the
6 vision that I think Commissioner Diaz has laid out of
7 a sustainability in our programs where we can meet our
8 goals and do it in a way that is holistic of where we
9 want to go as an Agency.

10 All that having been said, one of the
11 questions was directed towards Mr. Bird related to
12 some of the new hires and whether there was a comfort
13 level of them on coming to the Agency. You seem to
14 have a fairly optimistic statement in that regard, and
15 overall I think that may be the case.

16 I have had occasion to talk to a number of
17 the new hires, and I would say -- and this, again, is
18 an isolated example -- I think there is some level of
19 concern out there. I don't think all is roses and red
20 wine, so to speak.

21 My question is this: Do we believe that
22 some of the management folks within the Agency, who
23 really have to care and nurture for these folks, are
24 doing all that they can do to make sure that we are
25 going to be able to retain them down the line and not

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 add to our attrition rate down the road?

2 MR. BIRD: I think certainly that's mixed.
3 Some managers are doing an outstanding job in this
4 regard, others for various reasons, in my opinion, are
5 not having the time to devote to this, are not
6 committing the time to devote to the nurturing that's
7 necessary here for a new employee, to get them fully
8 integrated, to try to work with them on retention
9 issues, to show them how we do business. In the
10 Leadership Development Program, one of the groups is
11 focused on this and is trying to work around that to
12 provide some supplementary sources of nurturing, if
13 you will, and certainly Irene's staff and others are
14 trying to do the same thing and pick that up. And I
15 do think there is some concern about that, that if the
16 people that are coming are not challenged with
17 meaningful jobs and meaningful feedback and some means
18 of going to someone who will help them see how we do
19 business and understand our processes, we could have
20 a shortfall there.

21 One of the things this group, this
22 Leadership Development Group, is doing is offering
23 their own time to help fill that void and to work with
24 new employees as peers. They are basically looking to
25 them as peers, and I think this is a very valuable

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 thing in the Agency for that to happen. And you will
2 see some of that start to materialize as this group
3 works to the end of their project here. But I don't
4 disagree with you, and it is mixed. Some are working
5 very hard at this and doing a very, very good job, and
6 others aren't devoting as much time to that nurturing.

7 MR. TRAVERS: I should comment, though,
8 that in an age or an era when there are a lot of
9 challenges for the management team at NRC, this is
10 another one, and it's significant. We ought to do
11 well. But I do recognize the limitations on what we
12 ask of the management team.

13 We need to continue to emphasize this and
14 work with them, and make sure that we understand all
15 of what it is we are asking the management team to do
16 as we struggle with a host of important issues, and
17 where we need to help, from the senior level, whether
18 it be via resources to help in this arena, or some
19 other factor, I think we've got to remain aware of the
20 overall challenge that we ask so that they can, in
21 fact, be successful in all of the areas where we
22 expect success. I'm not sure we've always done as
23 good a job, from my level, in making sure that the
24 expectations of our management team are reasonable,
25 but we're working hard to try to do that now, and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 we're going to continue to keep our eye on that.

2 COMMISSIONER MERRIFIELD: Well, it's a
3 fair point. Again, I think it's one worth spending
4 some time. You know, the old adage is you can go out
5 and you can purchase very good seeds, but if you don't
6 water them and nurture them appropriately, they will
7 not grow nor will they thrive, and that, I think, is
8 part of where we are right now.

9 I'd be interested in maybe a followup
10 later on of if we are appropriately capturing within
11 the review process for our senior managers their
12 commitment to these kind of efforts, in their yearly
13 reviews.

14 Dr. Travers, over a year ago, at this
15 point, you had an instruction to members of the SES
16 Candidate Development pool to come up with a strategy
17 on communications for the Agency, and they came up
18 with a document called Communications is the Key.

19 I'm struck by one of the comments this
20 morning about a seeming disparity between, as Irene
21 mentioned, the feelings of senior management that we
22 are doing the appropriate things to have a system that
23 is fair, i.e., for hiring and for having people go
24 through our system that is fair, yet a belief among
25 many out there that it is not fair, that they are not

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 being treated fairly.

2 One of the notions that Ms. Little talked
3 about was a notion that communications plays a part in
4 that. And so I'm wondering to what extent are we
5 going to fix that, and how?

6 MR. TRAVERS: There are a number of means,
7 and communication is a broad arena. The one that I
8 think perhaps most directly applies to this issue is
9 the one that I spoke to at the outset, and that is --
10 the one that's in the paper -- and that is the
11 obligation that we, as managers, have to our staff of
12 fairly assessing their performance, giving them
13 instructive feedback on where and how they might
14 develop in areas where they are perhaps not as strong
15 as they might be.

16 I think the disservice you can do by not
17 providing that is multi-faceted. One of the
18 disservices you do is you can provide to an employee
19 who you are not giving that feedback to, where perhaps
20 you as a manager don't feel comfortable providing
21 critical feedback is you don't provide the opportunity
22 for the employee to know where they stand and where
23 they may need to focus their own efforts -- this is a
24 two-way street -- in developing themselves to the
25 point where they should be more strongly considered

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 for advancement in the NRCc.

2 I think sometimes it's easier -- and
3 perhaps it's easier with minority staff -- to not
4 provide critical assessments, even if they're intended
5 to be constructive, because of the concern that you're
6 going to be viewed in a fashion that's not
7 complimentary to you. I think that's just wrong, and
8 there are certainly different styles for how you
9 provide that feedback, and it ought to be positive and
10 it ought to be constructive, but it ought not to
11 always send glowing messages about performance. It
12 ought to be balanced in terms of what you are doing
13 well and where you need to improve your performance,
14 so that you have the opportunity to understand where
15 management perceives your capability to be at any
16 point in time, thereby providing the employee an
17 opportunity to do something about it.

18 That's not the only area, but I think it's
19 a key one. I think the other areas of opportunity
20 that we have are stressing the way we carry out some
21 of our competitive selection processes into things
22 like SES Candidate Development, by providing
23 information about the rigor associated with those
24 processes. And, frankly, I don't think you'll at
25 anytime completely overcome, in some staff minds, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 view that it's a system where people are earmarked for
2 advancement. I think that's a natural sort of
3 function of organizations, but having said that, I
4 think we ought to do everything we can to provide the
5 information that suggests otherwise in how we are
6 conducting these sorts of selection processes, in how
7 we are conducting appraisals, in how we are mentoring
8 minority staff in the Agency, and other staff in the
9 Agency.

10 So, there ought to be a fairly obvious to
11 all staff -- there ought to be obvious information
12 that suggests that we are, in fact, acting fairly on
13 all fronts.

14 MR. BIRD: If I could just comment on
15 that, there's a recent Merit System Protection Board
16 study that has been released that suggests that this
17 problem of a perception of process fairness is
18 throughout government. I think the feedback, if I
19 remember it, was that about 40 percent of the people
20 who responded felt that the systems were fair and
21 equitable, and that's a very low percentage, and OPM
22 will certainly take on this challenge, and we are a
23 part of that, and we need to take on the challenge as
24 well because the perception, as you know, becomes
25 reality in the minds of the people that we're

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 interacting with, and I think that study might give us
2 some insights as to how to begin to address that
3 issue. And we need to do more in trying to
4 communicate both here and throughout government.

5 COMMISSIONER MERRIFIELD: I have two quick
6 questions left. The first one, Ms. Little, when you
7 talked about the success in the ADR process that
8 you've had, which I have previously and continue to be
9 very supportive of, despite that, however, there was,
10 I think -- if I got it right -- you did have an
11 increase in the backlog of some of those actions out
12 there. And I'm wondering -- from FY 2000 and FY 2001
13 -- and I'm wondering what you're doing to address some
14 of that and narrow the period of time necessary that
15 those are out there before they are addressed?

16 MS. LITTLE: We did not have an increase
17 in the number of formal complaints that were filed.
18 The number I mentioned --

19 COMMISSIONER MERRIFIELD: No, not the
20 number filed, the carryover.

21 MS. LITTLE: The 19 complaints that were
22 carried over were from prior years, and some of those
23 were already former. The 21 that carried over were
24 some of those 19 that are still in courts. So we have
25 to look below the figures. We are pretty pleased with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 new complaints that are coming in, at how we are
2 dealing with those, but some of the carryover
3 complaints are as old as '96, '97, '95, and they
4 continue to be carried over. We are adding some to
5 that list, but for the most part the new complaints we
6 are resolving. So, yes, we added two to that number,
7 but when we think about it, we had 40 incidents of
8 counseling, 13 went to ADR, 27 were handled by the
9 counselors, and 15 of those actually resulted in
10 formal complaints. Yes, we added a couple, but that
11 was it.

12 What are we doing? We're still
13 encouraging people to use ADR. It is the
14 complainant's choice. We cannot make that decision for
15 them. So, ours is one of educating them about the
16 process and the benefits of the process, and giving
17 the employee the choice very early.

18 COMMISSIONER MERRIFIELD: And I don't want
19 to take away from success, I'm just saying that we, on
20 this side of the table, frequently take the staff to
21 task on backlog and, gee, are we getting this behind,
22 and the amount of time they are backlogged and all
23 that. I just wanted to get some sense -- typically,
24 again, the practice on this side of the table, to make
25 sure you focus on that, too, to get those out of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 there.

2 Last question briefly to Mr. Bird, you
3 talked about how we have -- I think it was a 6 percent
4 internal attrition rate, I think that was the number
5 you talked about. Obviously, there's a whole variety
6 of factors in that, but I am concerned about the
7 extent to which people are leaving the Agency to go to
8 other Federal agencies or to -- out in the private
9 sector. Are we concerned about that number, or do we
10 have an understanding of how that breaks out, and what
11 some of the reasons are for it and, most importantly,
12 is there anything we can do to improve it?

13 MR. BIRD: Well, we look at feedback we
14 get from employees as they leave. Some leave us good
15 feedback that we can draw some conclusions from,
16 others just say "thank you", and don't really leave us
17 a lot to work with.

18 We, frankly, don't lose a lot to other
19 agencies or to outside entities compared to the rest
20 of the Federal Government. We have recently lost our
21 share to retirement, and that tends to be the most
22 common reason for leaving.

23 I think our challenge is going to change
24 there as, again, the younger population, the interns
25 will have opportunities, and they are going to be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 looking for those opportunities. And that, to me,
2 will make a difference in the future.

3 We do periodically go back and look at the
4 statements that are made by the people that are
5 leaving, and we break down those reasons, and they
6 typically have been reasons of family moves and that
7 sort of thing, more so than dissatisfaction with NRC
8 as a good working environment, and we'll look at that
9 again. I just don't have that with me.

10 COMMISSIONER MERRIFIELD: Thank you.
11 Thank you, Mr. Chairman.

12 CHAIRMAN MESERVE: Let me make an
13 observation that would be my answer to Commissioner
14 Diaz' question "where are we", which is obviously the
15 fundamental reason we are here, and ask you whether
16 you think I'm right.

17 As I read the paper and look at the
18 statistics, I see a large number of very aggressive
19 efforts that we're taking to deal with the situation
20 we're confronted with. I know that they are sincere.
21 I think they are well received, and I think they are
22 proving to be effective. But as I look at the data,
23 I see that we're not there yet, and we look at the
24 percentage of managers, we look at some of the
25 statistics in terms of the SES representation and the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 like, that we have a ways to go. And this is not
2 something you can turn around on a dime, that you have
3 to deal with the age profile problem, you have to
4 constantly fight that issue, as an example, and
5 bringing in and new recruiting and you're filling
6 positions, that's something -- you have a few of those
7 opportunities a year to be able to deal with it, so
8 that one wouldn't expect to have success overnight on
9 something like that.

10 But my sense of this is this is a problem
11 we're working on. We're working on it aggressively.
12 We aren't there yet. And as part of our candid
13 evaluation process here that you've emphasized, I'd
14 like to get your sense. Is my report card a fair one?

15 MR. TRAVERS: I think it is. I think, you
16 know, anybody who has been here a while and has seen
17 the Agency grapple with some of the statistics and
18 some of the numbers, it's obviously one where we've
19 made some progress, but it's slow. There are reasons
20 for that. You have indicated we are a very highly
21 technical organization in the main, so sometimes our
22 ability to reach out and attract diversity in our
23 workforce is somewhat limited. Our ability to pay
24 people is somewhat limited.

25 But I think we have made -- the strides

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that we have made are notable. We have efforts in
2 place to remedy some of the more obvious issues, like
3 underrepresentation in specific areas. But it's
4 pretty clear to me that it's going to continue to
5 require concerted effort. It's going to continue to
6 require that we explore additional activities.
7 Commissioner Diaz asked a question about whether more
8 activities are in play. I think today more activities
9 are in play. Many of those activities are less
10 focused -- we take credit for them in EEO diversity's
11 face -- but if you look at them, communications and
12 other forms of our efforts, are really, as Pat
13 mentioned in her opening remarks, much more broadly
14 applicable to the work environment that we have here
15 at NRC. And I think that where we've perhaps made the
16 greatest gain -- and some of what we've done is less
17 quantitative, but more qualitative in the sense of the
18 quality of the work environment, that we do have the
19 diversity that we do enjoy here and those sort of
20 things, but I think your assessment is fair. The
21 numbers, if you look at them sort of coldly, in the
22 main, haven't changed greatly over the years. They've
23 improved some, and I think lately they've been
24 improving at a little bit faster pace, but I wouldn't
25 expect to see next time we meet, or even the next time

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 we meet, to be dramatic gains in these numbers. I
2 think it's going to take a concerted effort in all
3 areas that we've been talking about today, to make the
4 sort of improvement that I think you'll hold us
5 accountable for making in the longer-term.

6 MS. NORRY: I would just say one thing,
7 which is I agree with what Bill said, and I agree with
8 your assessment, but one of the perhaps disadvantages
9 of being around as long as I've been is that I tried
10 to remind myself that the fact that we've made
11 progress since the beginning is not something that we
12 should talk about a lot and congratulate ourselves on,
13 but we have, in fact, made progress, and I can only,
14 just as one small example -- I remember we went
15 through years and years and years where the number of
16 women in SES positions was in single digits, and we --
17 the big achievement was going to be if we could ever
18 get it out of single digits. So, these things are
19 measured, you know, by gradual progress and, as Bill
20 said, it's not just the numbers. I think the
21 awareness is what we have to keep looking at, the
22 awareness and the communications.

23 MR. MARSHALL: Speaking for the
24 committees, in addition to -- there's a lot of
25 activity going on, but as we're working on this,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 instead of just focusing on the numbers, we're looking
2 at broader measures of progress. You heard a lot of
3 discussion of fairness of the system, a lot of
4 discussion on feedback. Those aren't something we
5 can't put on paper. We realize that those are much
6 more important areas to work on to get outcomes that
7 have longer benefits, that help with retention,
8 because, like Commissioner Diaz said, about 30 percent
9 is getting a whole new group through, it doesn't do a
10 lot of good with regards to leadership positions if we
11 lose that entire group after five years or after ten
12 years. Along the way, you still won't see any change
13 in the numbers themselves, but if there's a stronger
14 sense that the development and progress, promotion
15 that there's a sense of fairness, there's honest
16 feedback on "I know where I stand, I know what I have
17 to do to move through this organization", will
18 increase the chances of retention and then hopefully
19 we'll see better outcomes with those numbers.

20 CHAIRMAN MESERVE: I just have two much
21 less fundamental questions. You used the term "best
22 practices" to describe the various things you're
23 doing, and it's clear from the discussion that there
24 has been substantial interaction with the various
25 Advisory Committees and with managers and trying to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 think that problem through, and I endorse that, that's
2 clearly the right thing to do.

3 I guess I do have the question, however,
4 is the extent we look to other agencies or even the
5 private sector to see whether there are some tools
6 that they are using effectively that we might be able
7 to adapt to our circumstances? I mean, it's very
8 important to have something that builds on internal
9 communications, but there are other things that we
10 haven't thought of that we could learn from outside,
11 and are we trying to get to that information?

12 MS. LITTLE: The short answer to that is
13 yes. We interact -- I do -- with my counterparts to
14 discuss with them the kinds of things they are doing.
15 And managing diversity wasn't invented by us, we
16 learned that that works from one of our fellow agency.
17 NIH is doing some things there. So, yes, we do, we
18 try to learn from that.

19 MR. VIRGILIO: The other thing I'd add to
20 that, Irene, is the fact that we've got a new
21 contractor coming onboard. Part of the selection
22 process included looking at what their experience was,
23 and part of our expectations for them is they'll take
24 us to a new level based on what they've learned
25 outside of NRC. So, we've got high expectations for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that group to take advantage of the work experience
2 they've had elsewhere and to translate that into NMSS.

3 The other thing I'd like to go back to,
4 Mr. Chairman, if you'd let me, I think Mike's answer
5 was a great answer to the question that you asked
6 about managing diversity and where we're going. And
7 "there" isn't about just changing the numbers, I think
8 "there" is about increased performance capacity of our
9 organization, about providing the people that we have
10 onboard today work assignments, opportunities,
11 development, and challenge. And I think that may be
12 where "there" is for us right now, as in parallel,
13 we'll work to change the number, changing the
14 environment, changing the opportunities are really
15 important to us, and I think in the end what we're
16 going to see is an increased performance capacity of
17 our organization through managing diversity.

18 CHAIRMAN MESERVE: Thank you. Just one
19 quick last question. One of the great successes that
20 you had described to us last time and again presented
21 in the paper, is our recruitment in Hispanics,
22 particularly in Puerto Rico, is usually successful.

23 It appears from reading the paper that you
24 made a similar effort with regard to Asian Americans
25 in California, but from the statistics we see, we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 didn't seem to get much in the way of applicants. Are
2 there some lessons that we've learned from this about
3 how to do this recruitment effort that gives a better
4 yield?

5 MR. BIRD: I may be able to speak to that.
6 I don't think you could quite characterize those as
7 equal in terms of investment and the people
8 participating, and particularly with regard to going
9 there with jobs on the other end of the visit.
10 Certainly, I think from some of the discussions that
11 Pat has had with the committee, we want to pick up on
12 that and go back to that with the same level of effort
13 that we were addressing the other events that we had
14 at North Carolina A&T, and certainly in Puerto Rico,
15 to re-examine that and re-examine the jobs that are
16 going to be available, and go there with the intent
17 that we would make on-the-job offers. So, they were
18 well intended, but they weren't quite parallel
19 efforts, in my opinion.

20 MS. LITTLE: Let me make just one comment.
21 There was another difference also. When you go to
22 Puerto Rico, probably 90 to 99 percent of the students
23 there are going to be Hispanic. When you go to
24 Historical Black College, the same will be the case.
25 When you go to the West Coast schools, you don't have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that percentage of any single group represented there.

2 CHAIRMAN MESERVE: Good. Well, thank you
3 very much. We're to the point in our program where I
4 want to give an opportunity for the representatives of
5 the Advisory Committees and the Union to have a chance
6 to make brief statements.

7 Mr. Marshall, would you like to make a
8 statement on behalf of the Advisory Committee for
9 African Americans?

10 MR. MARSHALL: Yes, I would, thank you.
11 The Advisory Committee for African Americans again --
12 we're concentrating on a subgroup of what all the
13 committees are concentrating on -- that is,
14 advancement of African Americans within NRC,
15 increasing the numbers or advancement of African
16 Americans or preparing them to advance, and to the
17 SES, the FOS, and the supervisory positions, and
18 increase helping the Agency be successful in
19 recruiting African Americans into the Agency. And
20 we're involved in ongoing dialogue and a working
21 relationship especially Ms. Norry at the EDO level,
22 HR, and SBCR, on putting together a framework in which
23 to address that. And the interesting thing is, the
24 framework we're going to tends to leave from increase-
25 the-numbers to improve feedback, sponsorship, focusing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 on preparing people to be successful in this Agency,
2 and I think that's where a lot of progress is being
3 made that is not as visible as the recruitment
4 efforts. The recruitment efforts are very visible,
5 but these other areas we're working on -- which,
6 again, I think are more as important with regards to
7 feedback, working on the perception of fairness with
8 the merit staffing process we're very active in, and
9 we look forward to continuing working in those areas,
10 and hopefully we will get some very positive outcomes
11 in the near future. Thank you.

12 CHAIRMAN MESERVE: Thank you. Ms.
13 Delgado?

14 MS. DELGADO: Good morning, everyone. I
15 would like to thank everybody for giving me the
16 opportunity to speak today, and on behalf of HEPAC, I
17 would like to thank the Commission and all the offices
18 involved for the outstanding recruitment effort this
19 past year.

20 We sincerely hope these successes will
21 continue as the Agency attempts to address the
22 underrepresentation of Hispanics at the NRC. We also
23 feel that it is important to focus additional
24 attention on long-term retention of those we recruit.
25 To do this, we encourage continued efforts in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 following up with current recruits to assist in
2 facilitating an open and responsive workplace by
3 establishing IDPs and mentoring, and in providing
4 opportunities for technical and nontechnical Hispanics
5 in highly visible and rotational assignments,
6 including EDO, Commission, and Chairman offices.

7 HEPAC is committed to continue to be
8 involved with recruiting and welcoming the Hispanics
9 who are coming to the NRC. We will assist with the
10 mentoring of new employees and making them feel a part
11 of the Hispanic and NRC communities. Thank you.

12 I just wanted to address something that
13 Commissioner Dicus said on feedback from the interns.
14 HEPAC right now plans to conduct an informal feedback
15 program with the interns over the next few months. We
16 are conducting the process to assess factors that may
17 affect the retention of these new employees. Thank
18 you again.

19 CHAIRMAN MESERVE: Thank you. Mr.
20 Cullingford.

21 MR. CULLINGFORD: Thank you, Chairman and
22 Commissioners. I am pleased today to represent the
23 views of the Asian/Pacific Committee. I'm the Co-
24 Chair. I would like to relate to you something that
25 happened in December. On December 18th, we had a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 committee meeting which was to elect new officers and
2 vote new members of the committee. And a problem that
3 has arisen in the past arose at that time, and that
4 was we did not have a quorum. So, the members present
5 of the committee at that time started to discuss,
6 well, why is this? And there were some views
7 expressed at that time, one of them being that they
8 felt that the management had not been addressing the
9 issues that APAAC has raised, and there was sort of a
10 disillusionment. So then the point was, well, is this
11 just the views of one or two members of the committee,
12 so they decided to poll the Asian/Pacific American
13 members of the NRC staff and ask for their views. And
14 what was to me a little surprising was that there was
15 a lot of disenchantment, and the point was, well, it's
16 business as usual, nothing has happened. We had the
17 Commission briefing and, really, Commissioner Diaz, it
18 addresses that question, and also Commissioner
19 Merrifield, of balance, that nothing has happened and,
20 to my surprise, the point was raised, well, why
21 doesn't the Asian/Pacific American Committee just
22 quit, why don't we just stop. And I and some others,
23 quite a number, were opposed to this, of course,
24 because that doesn't really solve anything.
25 Nevertheless, the majority of the responses said we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 should quit, we should withdraw.

2 And so I started to look myself at some of
3 this, and going back to the last year's briefing, we
4 had raised the issue, one of the main issues, about
5 the representation of Asian/Pacific Americans in
6 management and supervisory positions. And you know
7 statistics, you can get anything from statistics, but
8 sometimes statistics are very simple, very clear. And
9 so I always wonder, is this a few people sort of had
10 an ax to grind, or they have something they want to
11 say, but it's not real, but this is not just a
12 perception, it seems the statistics show that.

13 What they show is that our committee, or
14 our members, have over the last five years, the
15 representation in the SES and supervisory positions
16 has actually gone down whereas every other group has
17 gone up. And if you look on Attachment 3 at page 4,
18 you can just see that by looking at all the groups,
19 that since 1997, just look at the percentages and you
20 will see that our group is the only one where
21 representation in management supervisory positions has
22 gone down. And we realize, everybody realizes, that
23 these things require constant attention and they don't
24 change overnight, and nobody is trying to put people
25 in jobs just because of their backgrounds, they have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to be competent. However -- in other words, what are
2 we asking, what does our committee, what do our
3 members ask the Commission to do?

4 And we would like to ask and request that
5 the Commission focus on this issue and try to take
6 some actions to rectify this underrepresentation of
7 Asian/Pacific Americans. Thank you for your time.

8 CHAIRMAN MESERVE: Thank you, Mr.
9 Cullingford. Ms. Gunn.

10 MS. GUNN: Mr. Chairman, Commissioners. At
11 the last EEO briefing, FWPAC stated that we would
12 concentrate on creating developmental and career
13 advancement opportunities for women at NRC. In
14 particular, in that time we've been working on a
15 secretarial initiative as 84 percent of Grades 12 and
16 under at NRC are women. We look to provide a report
17 on that initiative to SBCR in the very near future.

18 FWPAC has also been working with program
19 offices to address women's concerns. NMSS, in
20 particular, has been actively working with FWPAC.
21 Some of the recent actions they've taken have been
22 hiring floaters for the secretarial staff, to give the
23 secretarial staff an opportunity to take training, to
24 take vacation, or to help out when the workload
25 spikes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 NMSS has also paid close attention to
2 their developmental assignments. As an example, 40
3 percent of NMSS employees on developmental assignments
4 last year were women. This number is consistent
5 pretty much with the overall percentage of women in
6 the Agency.

7 FWPAC looks forward to continuing to work
8 with you and all the program offices in the future.
9 Thank you for your time and support.

10 CHAIRMAN MESERVE: Thank you. Mr.
11 Ibrahim.

12 MR. IBRAHIM: Mr. Chairman, Commissioners,
13 on behalf of the Committee on Age Discrimination, I
14 would like to express my thanks to you for giving us
15 the opportunity to address the Commission on age
16 issues.

17 The Committee would like to bring some of
18 their concerns to your attention. You will notice
19 that our current statement has not markedly changed
20 from previous statements presented to the Commission.
21 What does that imply? It implies that not much
22 progress has been made to resolve our concerns.

23 In the past, we have recommended that some
24 actions be taken to inform and sensitize management to
25 ensure fair and equitable promotions are present, and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 awards for other staff. So far, we have not seen much
2 in the way of positive action regarding these
3 concerns.

4 Staff 50 years old and above are the core
5 of this Agency. They possess critical job skills and
6 experience which are essential to the mission of the
7 Agency. The Agency needs to recognize them and value
8 their experience and facilitate its transfer to the
9 younger staff. We hope in future briefings we can
10 report to you that progress has been made regarding
11 this issue.

12 And, finally, the committee would like to
13 thank the EDO, Dr. Bill Travers, and Brian Sheron for
14 meeting with us to discuss our concerns. In addition
15 to that, we'd like to thank Ms. Irene Little and her
16 staff for providing the data to analyze it and explain
17 what kind of percentage regarding older employee and
18 younger employee get promotion and how much can be
19 accomplished from that. Thank you.

20 CHAIRMAN MESERVE: Thank you. Mr.
21 Akstulewicz.

22 MR. AKSTULEWICZ: Thank you, Mr.
23 Chairman, Commissioners. On behalf of the Joint
24 Labor/Management EEO Committee, I'd like to thank you
25 all for the opportunity to speak to you today.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Our committee is a little bit different in
2 the sense that we don't sponsor any ethnic or gender
3 group, but we are a committee comprised of members
4 representing both the union and the management, and
5 our function is to advise management on all matters
6 concerning equal employment opportunities and to
7 provide comments and advice regarding the content of
8 EEO Action Plans and their implementation.

9 In our oversight role, our committee
10 echoes many of the views expressed in the Joint
11 Statement attached to the Commission Paper. We would
12 like to recognize the many ongoing efforts to enhance
13 the diversity of the Agency workforce at all levels of
14 the organization.

15 We are encouraged by the initiative such
16 as targeted recruitment in identifying and
17 successfully hiring highly qualified minorities for
18 entry level positions, and we are also encouraged by
19 the Agency efforts to identify and select highly
20 qualified minorities for succession planning programs
21 such as the Leadership Potential Program.

22 We need to continue to build on these
23 initial successes. Our ability to retain these new
24 employees, to provide them with meaningful and
25 challenging work, and to provide opportunities for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

1 advancement in the organization will be the only true
2 measure of success of our EEO programs.

3 We should also strive as an Agency to find
4 ways to provide meaningful and challenging work to
5 those employees nearing retirement, to ensure that
6 their collective institutional memory is not lost to
7 the Agency upon their retirement.

8 The Agency might consider pairing both the
9 new hires and the old group nearing retirement, to
10 provide opportunities for both to be more fully
11 engaged and to provide productive employees.

12 Our committee looks forward to monitoring
13 the Agency efforts now and in the future, and to make
14 recommendations for improvements in the EEO efforts as
15 they may be necessary. Thank you.

16 CHAIRMAN MESERVE: Thank you. Mr.
17 Yielding.

18 MR. YIELDING: Thank you. The National
19 Treasury Employees Union would like to thank the
20 Commission for the opportunity to comment on the
21 Agency's EEO progress and how the union has been
22 involved to help this out.

23 I always try to keep my comments connected
24 with the EEO Briefing Paper, and this time I find it
25 quite easy because page 6 of the EEO Report addresses

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 "worker-friendly" culture and how this will promote
2 staff recruitment and retention.

3 I think everyone knows our Collective
4 Bargaining Agreement and union involvement is always
5 trying to improve the worker-friendly culture, and
6 about every issue in the Collective Bargaining
7 Agreement deals with that working culture.

8 I could probably speak for an hour on
9 this, but I'm going to keep this brief and try to
10 focus on the single most important contract change
11 that we have in front of us, and that is work-at-home
12 and how this can promote retention and recruitment.
13 This is also referred to in the contract as "flexi-
14 place" and "telecommuting".

15 The Agency and NTEU management reached
16 agreement in June of last year, and the program for
17 work-at-home has become effective with the new
18 contract, which became effective in October, four
19 months ago. Management is just now implementing this
20 program in the Collective Bargaining Agreement by
21 collecting applications from employees to get approval
22 for work-at-home, and NTEU applauds this process even
23 though we're not as expeditious and fast as the union
24 had hoped.

25 We remain cautious that there is soon

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 approaching some high participation goals. I just
2 want to quote a couple of statistics. Congress
3 enacted public law applying the "Work-at-Home Program"
4 to 25 percent of the workforce, and that was due to be
5 implemented last April of 2001. Of course, we missed
6 that deadline because I was still at the negotiating
7 table with management negotiating the contract.

8 The law further escalates the
9 participation requirements for work-at-home to 50
10 percent by April of this year, which is three months
11 from now. The Agency has identified 1,000 positions
12 that are eligible for work-at-home, and I think
13 everybody here can do the math -- 50 percent of 1,000
14 -- and realize that a slow, comfortable implementation
15 will not achieve these high participation requirements
16 set by Congress.

17 So, all we are asking for here is -- we
18 realize that Work-at-Home is a documented positive
19 recruitment tool, and we hope that the ball now is in
20 the office directors' courts for hopefully
21 expeditiously complying with these requirements and
22 get people working at home.

23 And I guess our format here doesn't offer
24 questions, but I'll always welcome questions from the
25 Commission either in this meeting or off-line, if you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 would ever like to have comments from the union
2 privately in your office. Thank you.

3 CHAIRMAN MESERVE: Thank you very much,
4 Mr. Yielding.

5 Well, we come to the end of what I think
6 all of us on the Commission view as a singularly
7 important meeting we have periodically. The staff
8 really is our most important resource in this Agency,
9 and it is in the Commission's interest -- I must
10 admit, in the Commission's selfish interest -- in
11 assuring that there is equal opportunity here. That
12 is the best way we have to assuring a high quality
13 staff. So, this is a very important activity for us,
14 as it is for you.

15 I would like to thank you all for some
16 very helpful presentations this morning. And with
17 that, we are adjourned.

18 (Whereupon, at 12:50 p.m., the Commission
19 meeting was concluded.)
20
21
22
23
24
25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701