

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PERIODIC BRIEFING ON EEO PROGRAMS

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PUBLIC MEETING

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Nuclear Regulatory Commission
One White Flint North
Rockville, Maryland

Thursday, February 2, 1989

The Commission met in open session, pursuant to notice, at 10:00 a.m., the Honorable LANDO W. ZECH, JR., Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

LANDO W. ZECH, JR., Chairman of the Commission
THOMAS M. ROBERTS, Member of the Commission
KENNETH M. CARR, Member of the Commission
KENNETH C. ROGERS, Member of the Commission
JAMES R. CURTISS, Member of the Commission

1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

2 JOHN HOYLE, Assistant Secretary

3 WILLIAM C. PARLER, General Counsel

4 VICTOR STELLO, JR., Executive Director for
5 Operations

6 WILLIAM B. KERR, Director, Office of Small and
7 Disadvantaged Business Utilization and Civil
8 Rights

9 ZOLTAN ROSZTOCZY, LM/EAC

10 RAJI TRIPATHI, Chairperson, Affirmative Advisory
11 Committee

12 PAUL BIRD, Office of Personnel

13 SAM PETTIJOHN, NRC Chapter of Blacks in Government

14 RICHARD CLARK, Committee on Age Discrimination

15 KATHLEEN BLACK, Federal Women's Program Advisory
16 Committee

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P R O C E E D I N G S

(10:03 a.m.)

CHAIRMAN ZECH: Good morning, ladies and gentlemen. We are convened this morning to hear a progress report on the NRC's Equal Employment Opportunity Program.

The NRC staff and our Employee Advisory Committees meet with the Commission periodically to discuss the status of our efforts to achieve our EEO goals and our objectives. Our last meeting on this subject was held on July the 6th, 1988.

Equal employment opportunity is a basic concept to our philosophy as a nation, and highly important to an agency like the Nuclear Regulatory Commission, which relies on the competence and the integrity of its employees to accomplish our mission, protecting the public health and safety.

To function effectively in our regulatory role, we must make use of the combined talents of all of our employees and encourage them to perform at the highest levels of which they are capable. The Commission's commitment to use and develop our human resources and to use and develop them wisely, is embodied in both the Five-Year Plan, and the consolidated EEO program plan, and is also reflected in

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1 the increased management attention that these periodic
2 meetings afford.

3 Our actual progress in achieving our EEO goals
4 is affected by many factors, some of which are beyond
5 our control. However, what is clear is that commitment
6 alone can take us only part of the way, and that
7 commitment needs to be matched by the implementation of
8 EEO policies at all levels within the NRC, and by a
9 spirit of cooperation and constructive actions by all of
10 our employees.

11 The purpose of our meeting today is to assess
12 how we are doing, and how we can improve our performance
13 in this important area.

14 Do any of my fellow Commissioners have any
15 comments to make, before we begin?

16 (No response)

17 If not, Mr. Stello, you may proceed.

18 MR. STELLO: Thank you, Mr. Chairman.

19 I have -- and quickly will turn to Mr. Kerr,
20 to introduce others at the table, but would like to
21 point out that in the audience, should the Commission
22 have any particular question of offices, we have, for
23 the most part, the office directors here today, to hear
24 what goes on and hear the questions that are asked, and
25 get a sense and guidance from the Commission as to other

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1 areas that we need to pay attention to in this important
2 area.

3 What I thought I would start with is to give
4 you a broad overview of the accomplishments over the
5 last five years but, in the context of doing that, point
6 out that while I think we made considerable progress, we
7 have done so over a period of time where our agency
8 resources are declining, which makes it far more
9 difficult to do much, but I think we have done a rather
10 admirable job with that environment.

11 Since Fiscal Year 1983, the total minority
12 employment increased from 469 to 566. During the same
13 period, overall employment of women increased from 1014
14 to 1029. At the GS-11 and above, minorities increased
15 from 258 to 300; women at the GG level and above for the
16 five-year period increased from 306 to 388.

17 We have also had a significant increase in the
18 participation rate of minorities and women in the SES.
19 Minorities have increased from six to 12, and women from
20 four to eight.

21 In the first quarter of Fiscal Year 1989, from
22 October to December, 40 employees started rotational
23 assignments. This total includes 13 females, including
24 four minorities and three minority males.

25 I am pleased that during the past fiscal year,

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1 the various offices and regions have done a commendable
2 job in helping to improve the status of the EEO Program.
3 In particular, I would note the efforts of AEOD in the
4 regional offices in promoting the cooperative education
5 program, the number of professional technical positions
6 filled by women and minorities in ARM and NMSS, and
7 support of the part-time employment program of research.

8 Although there has been considerable progress
9 in improving our overall EEO program, I still recognize
10 that more needs to be done to eliminate under-
11 representation of minorities and women in all
12 occupational areas and grade levels. I am certain,
13 however, that with the continued innovative efforts of
14 the various office directors and regional
15 administrators, our progress towards that goal will
16 improve in the future.

17 With that brief overview, I will now turn to
18 Mr. Kerr, and ask him to introduce the others at the
19 table with us today from the Advisory Committees. And,
20 of course, Mr. Bird, here is on my left.

21 CHAIRMAN ZECH: Thank you very much.

22 Mr. Kerr, you may proceed.

23 MR. KERR: We have to my far right, Zoltan
24 Rosztoczy, from the EEO Labor/Management Advisory
25 Committee; and Paul Bird, we know.

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1 To my far left, Sam Pettijohn, from the NRC
2 Chapter of Blacks in Government; to his right, we have
3 Raji Tripathi, from the Affirmative Action Advisory
4 Committee, and to her right we have Kathleen Black, from
5 the Federal Women's Program Advisory Committee.

6 MR. BIRD: I believe you didn't introduce Dick
7 Clark.

8 MR. KERR: I'm sorry.

9 MR. STELLO: Dick Clark.

10 MR. KERR: And sitting on the far side there,
11 Dick Clark, from our Committee on Age Discrimination.

12 Sorry, Dick.

13 Mr. Chairman, the EEO Program continues to
14 make progress. If you will look at your first chart,
15 you will see that we are currently at the highest
16 percentage ever for women and minorities in the agency.
17 Our percentage of minorities is 18.1 percent, and women,
18 32.9 percent.

19 COMMISSIONER ROBERTS: Just so I can
20 understand --

21 MR. KERR: Certainly.

22 COMMISSIONER ROBERTS: -- is this double-
23 counting, would a female minority show on both?

24 MR. KERR: Yes, that's true.

25 COMMISSIONER ROBERTS: Okay.

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1 MR. KERR: On your next chart --

2 (Slide)

3 -- for GG-11 and above, we are, again, at the
4 highest percentage and number ever for minorities and
5 women in the agency. Minorities are 13.8 percent, which
6 equates to 300 people, and women are 17.9 percent, which
7 equates to 388 people.

8 On our next chart --

9 (Slide)

10 -- which is the pie chart, it shows that from
11 September '87 to September '88, even though the agency's
12 strength went from 300 -- I'm sorry -- 3,216 to 3,134,
13 the percentage of minorities and women stayed
14 essentially the same. I would say this is because of
15 less attrition and more focused recruiting that we're
16 doing.

17 On your next chart --

18 (Slide)

19 -- it shows SES by gender and minority status.
20 The increase in SES positions from 193 in FY-87 to 204
21 in FY-88 were, for the most part, technical positions
22 whereas the majority of the agency's minorities and
23 women are in administrative disciplines. This problem
24 is exacerbated by the limited numbers of minorities and
25 women in the feeder population, which we will see in the

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1 next pie chart.

2 On the next page --

3 (Slide)

4 -- it show the distribution of men, Grades 13
5 through 18. And as you can see, most of the men in the
6 Grades 13 through 18 are GG-15. In fact, of all people
7 in GG-15, 95 percent are males.

8 On the next page --

9 (Slide)

10 -- conversely, most of the women are massed at
11 GG-13 and, consequently, GG-13 are not eligible to
12 participate in the agency's SES candidate development
13 program.

14 On your next page --

15 (Slide)

16 -- it shows the minorities at Grades 13
17 through 18, and you can see most of the minorities are
18 Grade 14. And as I indicated earlier, most minorities
19 and women are in non-technical positions, which
20 restricts their movement into the agency's mostly
21 technical SES positions.

22 My last chart --

23 (Slide)

24 -- shows the current discrimination
25 complaints, and we have a number. Of the 33 age

1 complaints in NRR, 30 are separate complaints filed by
2 six individuals. The OIA complaint was filed in 1986,
3 and is currently going through various appeal stages at
4 EEOC. The Region II complaint was filed in 1987, and it
5 is being litigated in court.

6 The three complaints in Region IV were all
7 filed by one individual. And the complaint in Research
8 was resolved in mid-January.

9 So, of the complaints reflected here, there
10 are only 12 active complainants.

11 COMMISSIONER ROBERTS: Do you have access to
12 knowing how does that compare with other agencies, other
13 entities of the federal government?

14 MR. KERR: Until we started getting a number
15 of age complaints within the last couple of years, we
16 are doing quite well. In fact, our number of complaints
17 was down as compared to other agencies. But now, I
18 think, we are probably comparable, or maybe a little bit
19 ahead of other agencies in complaints.

20 I would like to now, Mr. Chairman --

21 COMMISSIONER ROGERS: Excuse me -- when you
22 make that comparison chart, can you get from the other
23 agencies the number of complainants, instead of just the
24 number of complaints, that you can compare numbers of
25 individuals rather than numbers of complaints?

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1 MR. KERR: I don't believe they give that kind
2 of data. In fact, the data that they do give is usually
3 about two or three years old. So, we are probably now
4 just getting data from 1986 or '87.

5 COMMISSIONER ROGERS: In some ways, that's
6 more meaningful.

7 MR. KERR: I understand, I understand.

8 I would like to now --

9 COMMISSIONER ROBERTS: I want to make sure you
10 understand the thrust of my question.

11 MR. KERR: Sure.

12 COMMISSIONER ROBERTS: I mean, we have to do
13 what is right, and what other people do is, in one
14 sense, you can say is not important, but it would be
15 interesting to know how we do compare with other
16 entities of the government, that's my only --

17 MR. KERR: I would like to now respond to the
18 December 13th SRM, which was the result of the July 6th
19 briefing.

20 We were asked to review the constructive and
21 positive suggestions made by Mr. Pettijohn at that
22 briefing. And after looking at the transcript, we found
23 three items we would like to respond to. We were asked
24 to consider a full-time black affairs coordinator for my
25 staff.

1 The Commission is well aware of the small
2 staff that we have in the OSDBUCR. In fact, we only
3 have four persons who are dedicated full-time to civil
4 rights activities. Even so, we have assigned a person
5 the additional duty of Black Affairs Coordinator. Not
6 only does this person work with, and is readily
7 acceptable to suggestions from BIG -- that is, Blacks in
8 Government -- he also works with the Washington Metro
9 Martin Luther King Coordinating Committee, administers
10 the agency's Black Executive Exchange Program, attends
11 events held by national black organizations, and is
12 currently involved in planning Black History Month
13 activities, all as additional duties.

14 With all of this, we are still receptive to
15 recommendations from any source concerning how we may be
16 able to do more regarding black employees, or any
17 protected group.

18 In addressing Mr. Pettijohn's comments
19 regarding a seminar on the root causes of racial
20 prejudices and disparities in the agency, I feel that we
21 have to look to see if these possible prejudices are
22 reflected in our hiring, attrition and training, all of
23 which are addressed elsewhere in today's presentation.

24 Since the inception of the agency, the EEO
25 Program has been offered to managers and supervisors on

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1 a two-year cycle. Included in such training is a
2 detailed discussion of racial prejudices and
3 disparities. Also, we have been more aggressive in our
4 assignment of our FY-89 hiring goals, which will assist
5 in alleviating under-representation of all protected
6 group members. Of 62 goals assigned for this fiscal
7 year, 29 are for black applicants in our most populous
8 occupations.

9 Lastly, concerning the EDO and Chairman
10 emphasizing their commitments toward EEO, both EDO and
11 the Chairman make such commitments by their full
12 participation in these semi-annual briefings. Also, the
13 Chairman has re-emphasized his commitment in writing by
14 his statement which is included in your briefing
15 package. This statement is extracted from the
16 Affirmative Employment Plan which the agency submitted
17 late last year to the Equal Employment Opportunity
18 Commission.

19 We were asked to address the reasons for the
20 high number of age discrimination complaints within NRR.
21 Since the agency is currently in litigation on the age
22 discrimination complaints filed by NRR employees, we
23 feel that it would be inappropriate and premature to
24 comment at this time. It should be noted, however, that
25 six NRR complainants are responsible for 30 of the 33

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1 age complaints.

2 Given the age of the NRC staff members and the
3 total number of NRC employees, we have no reason to
4 believe that the number of age complaints represents
5 more than may be expected from such a population.

6 Further, we were asked to discuss progress
7 made in establishing a small task force to review the
8 pattern of an increasing number of allegations of age
9 discrimination. We have not established a task force at
10 this time, again, due to the current litigation. Once
11 the complaints have been resolved, a review of the
12 investigatory files, along with the hearing proceedings
13 will guide us in any actions to be taken regarding the
14 agency's older population.

15 COMMISSIONER CARR: Can I ask a question?

16 MR. KERR: Certainly.

17 CHAIRMAN ZECH: Go ahead.

18 COMMISSIONER CARR: We don't have a mandatory
19 age retirement?

20 MR. KERR: No.

21 COMMISSIONER CARR: And we don't have an up-
22 or-out policy?

23 MR. KERR: No.

24 COMMISSIONER CARR: What is the oldest aged
25 employee, do we know?

1 MR. KERR: I can find out. Offhand I do not
2 know.

3 MR. BIRD: It believe it is in the mid-
4 seventies, I don't know the exact age, but we have
5 looked at that.

6 COMMISSIONER CARR: I wonder, you said--
7 would it be wrong to get a readout of the age population
8 of the employees?

9 MR. KERR: Absent the names, we can do that.

10 COMMISSIONER CARR: That's what I mean.

11 MR. STELLO: I think we can do it on
12 statistical --

13 COMMISSIONER CARR: I just wanted to know --

14 MR. STELLO: -- statistical distribution --

15 COMMISSIONER CARR: -- what the proportion looks
16 like, you know, or what is the average age of the
17 employees now, do we know?

18 MR. KERR: Average age, no.

19 COMMISSIONER CARR: Thank you.

20 CHAIRMAN ZECH: If you can find that out, can
21 you let us know?

22 MR. KERR: Certainly.

23 CHAIRMAN ZECH: Fine. All right, let's
24 proceed.

25 MR. STELLO: I think we have the averages with

1 us. Let us look for a moment, we may be able to answer
2 that question --

3 COMMISSIONER CARR: All right.

4 MR. STELLO: -- but to get the distribution,
5 we would have to run that off, and we will do that, and
6 provide it to the Commission.

7 MR. KERR: Lastly, we were asked for the
8 progress and utilization of EEO counselors in assisting
9 management.

10 On the 12th of August 1988, I sent a
11 memorandum to office directors and the regional
12 administrators advising them that more than just
13 complaint resolution, counselors are available on a day-
14 to-day basis, as their eyes and ears regarding
15 perceptions of their respective activities. A copy of
16 that memo is included in your briefing package.

17 Do you have any questions concerning my
18 presentation? If not, we will go to Mr. Bird?

19 MR. STELLO: To answer your question in terms
20 of the overall distribution, the number -- and I will
21 round them off -- the number under 30, 24 percent; from
22 30 to 39, 32 percent; 40 to 49, 22 percent; 50 to 59, 17
23 percent; and 60 and over, 6 percent.

24 COMMISSIONER ROBERTS: Sixty and over, what?

25 MR. STELLO: Six percent. I rounded them off.

1 CHAIRMAN ZECH: It didn't tell us the average
2 age, though.

3 MR. STELLO: No, we will have to do that when
4 we actually do the run.

5 CHAIRMAN ZECH: Thank you, Mr. Kerr, I
6 appreciate very much -- no, let's move along, please, I
7 think. Paul?

8 MR. BIRD: Okay. Again, responding to the
9 questions addressed by the Commission back to us, we
10 were asked to look at the reasons for women having
11 higher attrition rates than men, in particular, the
12 reasons other than seeking better job opportunities. In
13 looking at this, we broke the population into two
14 categories.

15 (Slide)

16 The first chart, you will notice, is for
17 Grades 8 and above. These tend to include a large
18 portion of our professional staff. And the legend shows
19 the reasons, with the men to the left, and the women to
20 the right, for leaving. I think it is important in this
21 chart to point out the loss rates at the bottom of the
22 page, wherein the men lost -- left the agency at a rate
23 of 5.7, and the women at a rate of 6.4.

24 There is some, you know, question as to
25 whether or not that is a significant difference,

1 although the women did leave in a slightly higher
2 proportion of the agency. The legend shows the reasons
3 that were given for leaving. You will notice one
4 interesting factor here is that more women tended to
5 leave to go to private sector whereas more men, in this
6 particular bracket, tended to leave to go to other
7 government. Family situation seemed to occur more often
8 as the reason for the women leaving in this
9 distribution, than for the men. This covers fiscal '87.

10 The next --

11 COMMISSIONER CARR: Does personal mean we
12 don't know, or that's all other?

13 MR. BIRD: Personal means they were reluctant
14 to give us a specific reason.

15 COMMISSIONER ROBERTS: We have two sets of
16 this, and the first one said -- was miscellaneous. And
17 now you call it "personal".

18 MR. BIRD: Yes. Miscellaneous was trying to
19 lump together -- when we poll this data, we have a form
20 that asks for, I think it is around 11 or 12 variables.
21 A lot of the responses were very small decimal figures,
22 and we didn't want to include that on the chart, in that
23 it would be confusing.

24 At one point we referred to it as
25 "miscellaneous". A large portion of the miscellaneous

1 were personal reasons given. So, we thought it might be
2 better, for the purpose of this briefing, to show it the
3 way we did.

4 The important point, I think, to look at is
5 the last column, which talks about promotional -- lack
6 of promotional opportunity. And you can see in this
7 chart that that was not given as a reason for leaving in
8 this time frame.

9 The next chart --

10 (Slide)

11 -- compares the reasons of leaving for Grades
12 7 and below. Again, if you look at the loss rates, they
13 are fairly comparable, men versus women -- men leaving
14 at a rate of 14.1, women at a rate of 15.8. If you
15 compare again across the chart, men seem to have retired
16 at a greater rate during this time frame, more--
17 significantly more men went to the private sector than
18 to other government at those lower grades whereas the
19 women tended to go at a higher rate to other government.

20 Again, looking at the bottom of the chart, if
21 you look at promotion opportunity, some women allowed
22 that they had left the agency for lack of promotion
23 opportunity in that grade span.

24 There is a much higher attrition rate here,
25 than there is for the upper echelon of the agency.

1 These people tend to turnover more often and we do get
2 higher attrition here.

3 COMMISSIONER CARR: Is that relocation there
4 because we relocated to White Flint, or is that
5 relocation in general?

6 MR. BIRD: No, I don't think -- we looked at
7 White Flint specifically when we were moving, and
8 although there was some indication that some people were
9 concerned about that, we didn't believe in the end that
10 we got a true indication that that was a reason for
11 leaving the agency.

12 COMMISSIONER CARR: Just as a matter of
13 curiosity, why would other government be such a high
14 part of the women's loss rate in those grades?

15 MR. BIRD: I suspect that when women are
16 looking for various job opportunities -- some of those
17 job opportunities certainly would be from secretarial to
18 administrative jobs -- that the large number of
19 administrative jobs available to them would be greater,
20 looking at the rest of the Federal Government, than they
21 might be here, given our total population.

22 COMMISSIONER CARR: Well, but they say it
23 wasn't promotional opportunity that they left for.

24 MR. BIRD: Right, but if they move into a
25 different occupation or a different series, then they

1 would have greater promotion potential. That might not
2 be the specific reason for leaving -- they may have gone
3 laterally -- but when they move from secretarial to an
4 administrative occupation, in many cases, they will get
5 a greater promotion potential.

6 We've noticed a large number of people leaving
7 the agency in this category, to move to computer
8 assistant jobs, to move to computer-oriented work. I
9 will mention this later in the briefing, but we also --

10 COMMISSIONER CARR: So that category would
11 really be "job potential" then?

12 MR. BIRD: That would be my feeling. Again,
13 we try to get as much information as we can when we talk
14 to people as they leave. In many cases, I don't feel
15 that we get as much as we might from them.

16 COMMISSIONER CARR: I am uncomfortable about
17 how to fix that number, not knowing what really is
18 behind it.

19 MR. BIRD: Right. And we can certainly
20 continue to look at that. We do work very, very hard to
21 try to get people to reveal to us the reasons for
22 leaving. All of our regional offices and our satellite
23 personnel offices have an exit interview in which we try
24 to get this specific data gathered. Many people do tend
25 to be reluctant on leaving, to be very specific about

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1 the reasons.

2 And I think in many cases, they do have
3 personal reasons for leaving. But that is -- we will
4 take a particular look at why so many in this group tend
5 to go to other government.

6 CHAIRMAN ZECH: Let's proceed.

7 MR. BIRD: The next question, we were asked to
8 respond and address the Commission on the results of the
9 1987 performance appraisal ratings for black secretaries
10 compared to those for non-black secretaries. This was a
11 specific question.

12 If you will look at the first chart --

13 (Slide)

14 -- we tried to look at this category in terms
15 of grade level. This particular chart shows the Grades
16 9 and 10, wherein you can see that black secretaries, in
17 the left column, they are low numbers, but all the black
18 secretaries in those grade levels were Outstanding
19 whereas, with the non-black category, there were some
20 Excellents.

21 Let me point out at this point that a lot of
22 the concern about performance appraisal disparity is
23 focused on the difference between Outstanding and
24 Excellent in our performance system. And these charts
25 would reflect that.

1 If you look at the overall numbers, Excellent
2 and Outstanding ratings constitute over 90 percent of
3 our total ratings that we receive -- or give.

4 The next chart --

5 (Slide)

6 -- looks at the Grades 7 and 8, again with
7 black secretaries to the left, and non-black to the
8 right. There are higher numbers here in both categories
9 but, again, they tend to compare rather favorably. If
10 you look at one against the other, it does not tend to
11 indicate that there is a problem.

12 The next chart --

13 (Slide)

14 -- is comparing at Grades 5 and 6. And in
15 this particular chart, again, focusing on Outstanding
16 ratings as opposed to Excellent ratings, you do start to
17 see some disparities for the black employees to the left
18 and the non-black to the right, wherein the non-black
19 employees would have gotten higher ratings than the
20 other group.

21 We've tried to examine this problem more
22 thoroughly. One of the things we are doing now is
23 trying to set up a training program wherein secretaries
24 entering the agency would be given skills training,
25 would be worked with in terms of any language skills, or

1 other needs that they might have, as they enter the
2 agency. We hope that this program would lead to some
3 correction of the imbalance that tends to appear here.

4 Again, be careful because the numbers are
5 relatively small, and small changes will result in big
6 changes in percentages in these charts.

7 The last chart --

8 (Slide)

9 -- in this particular sequence is an effort to
10 look at performance ratings relevant to length of
11 service. And as you can see, if you look from left to
12 right, the ratings tend to get better, or more
13 Outstandings tend to occur as employees are here longer.
14 And we believe that there is some relationship between
15 length of service and Outstanding performance ratings in
16 the agency.

17 We will look at this on a broader spectrum in
18 the future but, in this particular case -- and this is
19 all secretaries in the agency -- we have found a trend
20 that performance ratings tend to improve with length of
21 service. So, there does seem to be some connection
22 there in that case.

23 We were also asked to address the reasons for
24 granting fewer performance awards to employees over 50
25 years of age.

1 If you will look at the chart in this case --
2 (Slide)

3 -- the distribution of awards against the
4 population tend to compare very favorably. You can look
5 at the age groups -- the population to the left, and the
6 awards to the right -- and the number of awards,
7 percentagewise, tend to match up very nicely and track
8 with the distribution of population in the agency. We
9 feel this is a good sign in terms of the distribution
10 this past fiscal year.

11 COMMISSIONER CARR: And those numbers you gave
12 me that don't track these, are they more up-to-date
13 numbers?

14 MR. McDERMOTT: The first numbers did not
15 include the SES, but the rest of them do.

16 CHAIRMAN ZECH: Excuse me -- would you please
17 identify yourself for the Reporter?

18 MR. McDERMOTT: I'm Jim McDermott.

19 The first set of numbers was a graph that had
20 only -- that did not have SES employees included. This
21 graph includes SES.

22 COMMISSIONER CARR: So, this is the spread
23 with the SES?

24 MR. McDERMOTT: Yes.

25 MR. BIRD: This is total population.

1 We were also asked to address the reasons for
2 the high frequency of vacancy announcement cancellations
3 and the process by which those vacancies were
4 established.

5 (Slide)

6 For the most part, vacancies are established
7 through attrition, promotions, reassignments and other
8 movement within the agency. As you can see on the
9 chart, about half of the cancellations of announcements
10 that occurred were due to lateral reassignment. That is
11 to say, a job was posted, there was someone at the same
12 grade level who qualified for the job, and it was not
13 needed -- thought to be necessary to carry it through
14 for competitive promotion purposes. So, we would
15 simply, at that point, move the person on a lateral
16 reassignment into that particular position, and cancel
17 the vacancy notice.

18 This is good utilization of staff and an
19 efficient way to do business.

20 The remainder --

21 COMMISSIONER ROGERS: Excuse me. On that --

22 MR. BIRD: Yes.

23 COMMISSIONER ROGERS: -- why do you do it that
24 way? If you have somebody that you can move in, why do
25 you make the announcement?

1 MR. BIRD: Well, in many cases, the employee
2 is not aware that the job opening exists. It may be in
3 a different part of the organization, and that employee
4 would have no way of knowing, in that particular area,
5 that there is a job.

6 When the job goes up, that person would come
7 forward through either sending us an application or
8 through notification of the program manager, and say "I
9 am in another organization, but I am available, and I
10 think I can qualify for this".

11 There would then be a determination that, yes,
12 in fact, this person does qualify, and they would be
13 moved over.

14 Now, there is another scenario in which, in
15 the process of doing rotational assignments, we are
16 continually looking, for efficiency reasons, to place
17 people who are in offices who are over their FTE
18 ceiling, into offices who may be under their FTE
19 ceiling, provided they qualify. And if we find that a
20 person is qualified in an organization that is over
21 ceiling, we will reassign them to the organization that
22 is under ceiling and, therefore, again, save the agency
23 resources.

24 And you can see the total number of postings
25 in this time frame was 607 and the total number of

1 cancellations was 63.

2 The three groupings below there constitute
3 other reasons for cancelling jobs. Some of this is due
4 simply to the realignment of FTE -- this occurs to some
5 extent in the budget process and throughout the year--
6 wherein, as the ceiling shifts, we make an effort to try
7 to associate the staff with the ceiling and, in the
8 course of that, may end up cancelling or abolishing
9 certain positions. In some cases, we will reassess a
10 job, and determine that the job requirements either were
11 not valid, or that we didn't attract anybody to the
12 particular job that we advertised, and we will change it
13 and, therefore, cancel the posting and put up a new
14 posting.

15 I hope this answers that particular question.

16 COMMISSIONER CARR: Does that count in your
17 607, some of those that have been reposted?

18 MR. BIRD: Yes, I would think that would count
19 those repostings. I am not sure, but I will check that.

20 MR. McDERMOTT: Jim McDermott, again. It
21 doesn't count all of repostings, no. There are about 5
22 percent that are reposted, either to extend the date or
23 for some reason like that, and they are not counted in
24 the 607.

25 MR. BIRD: They are not in that? Okay.

1 Yes, I should say that when we do extend the
2 date to allow more applications to occur, that is not
3 considered a reposting, in my view.

4 We were also asked to look at the
5 effectiveness of efforts to improve the training
6 opportunities for minorities.

7 The next chart --

8 (Slide)

9 -- compares the population of minorities and
10 non-minorities against the training instances that
11 occurred and, as you can see on the second line of this
12 chart, the percentage of population of minorities is 18
13 percent. The number of minority employees trained was
14 17 percent, and the number of instances of training, at
15 the bottom, was 18 percent. So, that lined up very
16 favorably with the population -- that is to say that the
17 instances of training, the amount of training that
18 occurred, tended to track almost to a "T" the
19 distribution of minorities in the agency.

20 COMMISSIONER ROGERS: I think Ken raised a
21 question, though, as to whether the training
22 opportunities themselves, the actual training sessions
23 that are open to the different groups here, are
24 equivalent. And these are instances of training, but
25 the kinds of training might be quite different, in the

1 -- to the -- that are actually taken up by the minority
2 group versus the non-minority group.

3 MR. BIRD: That's correct.

4 We didn't examine that in this particular--
5 in response to this particular question, but it is
6 certainly a valid question. Much of the training is
7 driven by employee-interest, as well as a lot of it
8 driven by management's interest, and we are beginning to
9 examine that data to see how that is matching up in this
10 context.

11 COMMISSIONER ROGERS: I think that is the next
12 step down in finer degree of attention, but that
13 probably is worth looking at.

14 MR. BIRD: Good point.

15 COMMISSIONER CARR: Do we have mandatory
16 training programs?

17 MR. BIRD: We do have some mandatory training
18 for supervisors.

19 We were also asked to address the progress in
20 recruiting and hiring Hispanics. We are trying to put
21 in perspective of a time frame since the last briefing,
22 so we looked at January 1st of '88 to November 30th of
23 '88.

24 During that time frame there were extensive
25 efforts through Bill's office and my office, to try to

1 identify and hire, if possible, more Hispanics, attract
2 them to the agency.

3 (Slide)

4 As you can see, the column of availability is
5 workforce availability data, given to us through Oak
6 Ridge Associated Universities. In the left column,
7 looking at the general engineering category, which is
8 the large portion of our hiring, the availability in the
9 general workforce was 2 percent. During this period of
10 all NRC hiring, this is total hiring, we hired Hispanics
11 at a rate of 12.5, so we were doing better in this time
12 frame than the availability in the population.

13 These numbers are, again, small. Essentially
14 in that time frame that we are looking at, of 171
15 permanent full-time hires, five of those were Hispanic;
16 of 70 other than permanent full-time hires, five were
17 Hispanic. Again, there are some extensive efforts going
18 on in this regard, and we plan to continue that.

19 I know that we already have some offers out
20 and acceptances from some additional Hispanic potential
21 employees. So, hopefully, that will come to fruition.

22 COMMISSIONER ROGERS: Could you just say a
23 little bit about the co-op, what those kinds of hires
24 are. Are they college-level?

25 MR. BIRD: Yes.

1 COMMISSIONER ROGERS: High-school level?

2 MR. BIRD: Yes.

3 COMMISSIONER ROGERS: What are they?

4 MR. BIRD: This particular program is aimed at
5 college level, wherein they come to the agency and spend
6 a semester working for us. They may come in, also,
7 during the summer, and work essentially on a part-time
8 basis, maybe full-time during the summer, with us. And
9 they come from various colleges across the country, who
10 have a consortium for --

11 COMMISSIONER ROGERS: These are for the most
12 part technical, but not exclusively as technical.

13 MR. BIRD: Yes. The direction here is largely
14 focused on technical employees, that's correct, although
15 there are others. We do hire them beyond that, but the
16 focus is technical hires.

17 The next chart --

18 (Slide)

19 -- was a question raised in the last briefing
20 relative to competitive selections for the SES. This
21 shows the time frame of April 12th of 1987 to September
22 30th of 1988. And the effort here is to give the
23 Commission a focus on the number of applications, the
24 number of rated Best Qualified and the number selected
25 in various groupings.

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1 If you look to the left column for women, of
2 the SES jobs that were competitively filled during this
3 period, and there were 34 of those, 3 per -- it included
4 3 percent of the total applications were from women.
5 That number is actually 14, and it is not on your chart,
6 but 3 percent represents 14 total applications. The 64.2
7 percent represents nine that were rated, of the 14 that
8 were rated in the Best Qualified category -- and that is
9 to say they were in the highest level of competition--
10 and, as a result of that, 22.2 percent of those that
11 applied, that number -- actual number is two -- were
12 selected out of the 34 selected in this time frame.

13 For minorities, there were 34 total
14 applications, 15 of those were rated Best Qualified, and
15 three, which is 20 percent of the group that applied,
16 were selected in this particular time frame.

17 The right column does the same for white men
18 wherein, for the 34 SES positions, 415 white men
19 applied; 183, or 44.1 percent, were determined to be
20 Best Qualified, and 15.8 percent, or 29, were selected.

21 Let me point out that for SES positions, all
22 these jobs are advertised on a nationwide basis, through
23 the Office of Personnel Management. So, we get a rather
24 large recruitment effort in conjunction with the rest of
25 the Federal Government.

1 We were also asked to update the Commission on
2 the status of the rotation program. The next chart --

3 (Slide)

4 -- shows the population of NRC, as of
5 September 30 of '88, and rotational assignments by sex
6 and minority from October the 1st of '88 through
7 December 31st of '88. We spoke to this last time, about
8 the success we had had with this program prior to that
9 and, in that particular case the last time we briefed,
10 more of these rotational assignments were given to women
11 and minorities than the rest of the population.

12 Now, in this latest time frame, you can see
13 that these pie charts compare very favorably against the
14 distribution in the agency. That is to say, we think
15 that the rotational assignments are matching up very
16 nicely with the population at this particular stage, and
17 we will continue to monitor this.

18 In the Staff Requirement Memorandum, we were
19 also asked to address the Commission with regard to the
20 employee suggestion survey. At this particular point in
21 time, the survey has been delivered. We worked in close
22 coordination with the Advisory Committees, the EEO
23 Advisory Committees, with Bill's office, and with the
24 Employee Union, to develop a survey that would represent
25 the interests of those various groups.

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1 That survey has now been distributed. Eleven
2 hundred participants randomly selected received this
3 survey. In January, we had about 600 -- 550, or 600
4 results back now, and we are tabulating the data and
5 putting it in the computer. We will follow through with
6 the Commission on the results of this survey, when we
7 have that data finalized. And we will bring that
8 information to you as soon as possible. We hope to have
9 that all done by March.

10 We were also asked to address the progress
11 encouraging open discussions in employee exit interviews
12 and reasons for terminating employment with the NRC, and
13 I believe I have addressed that fairly well in the
14 context of the earlier slide.

15 The Cooperative Education Program was another
16 subject we were asked to look at. This was in
17 conjunction with recruitment of secretaries at high
18 schools throughout the area. This concept was presented
19 by Jonas Souder at the last meeting. We picked up on
20 it. We have contacted 14 area schools since the last
21 meeting. Six of those schools were identified to have
22 students interested in secretarial positions on a co-op
23 basis -- that is, they would come in for a shared
24 portion of the day and work with us.

25 We actually went and recruited at six of these

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1 schools, and have hired two co-ops at this point,
2 through that program.

3 One of the interesting things we found,
4 though, in the context of this, is that the interest in
5 the secretarial occupation is waning -- not nearly the
6 interest that we have seen in the past, in going into
7 that particular field. Many of these students are
8 telling us they are more oriented toward the computer
9 field, and my personal view is that that trend will
10 continue.

11 That's going to create some problems in the
12 transition of the technology from typewriter to word
13 processing technology to computers wherein secretaries,
14 in the typical sense that we have known them in the
15 past, are not going to be available in the numbers that
16 we will tend to need. Hopefully, the technology and the
17 number of people available in this skill area will come
18 together at some point, but we do see a tendency away
19 from this particular field in the high schools.

20 And I believe that concludes my portion.

21 CHAIRMAN ZECH: All right, thank you very
22 much.

23 Any questions from my colleagues before we
24 proceed with the other presentations?

25 (No response)

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1 CHAIRMAN ZECH: If not, you may proceed.

2 ^{Kerr?}
MR. BIRD: Mr. Chairman, we would like to hear
3 now from the EEO Advisory Committees. And we would like
4 to start with the EEO-Labor/Management Committee, with
5 Zoltan Rosztoczy.

6 CHAIRMAN ZECH: Thank you.

7 You may proceed.

8 MR. ROSZTOCZY: Mr. Chairman, Commissioners, I
9 am Zoltan Rosztoczy, Vice Chairman of the
10 Labor/Management Equal Employment Opportunity Advisory
11 Committee.

12 On behalf of the committee, I appreciate the
13 opportunity to share with you the committee's views,
14 concerns and plans related to equal employment issues in
15 front of the Commission.

16 Our committee is composed of eight
17 individuals; four of these are being appointed by labor
18 and four are appointed by management. The entire
19 committee is new this year, meaning that all eight
20 people are new, they have not been serving on this
21 committee in the past year, or the past years. We have
22 begun meeting monthly and working in a cooperative
23 spirit, as it is intended by our charter.

24 Some of the issues of interest to our
25 committee are: employee suggestion survey; feasibility

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1 of introducing a dual-track career at the NRC;
2 performance appraisals of non-supervisory staff;
3 possible implementation of bumping and retreat rights in
4 case of a reduction-in-force; and training and
5 rotational assignments. I would like to say a few words
6 about each of these issues.

7 First, the employee suggestion survey. In
8 September, we commented on the draft version of the
9 survey. We understand now the survey is out, the
10 Personnel Department is collecting together the
11 information on it. And we would like to request that
12 when the data is all together, that it be available to
13 us, so we can do our independent assessment of this
14 information.

15 Turning to a dual-track career path question,
16 we understand that the Office of Personnel is in the
17 process of evaluating various alternative approaches to
18 compensation, including the dual-track path. Our
19 request would be that after they have a chance to
20 complete their work, and they are at the process of
21 proposing implementation of one or more of these items,
22 then we would like to have an opportunity to review the
23 implementation program, prior to putting it to actual
24 work and offer any comments on that, at that time.

25 COMMISSIONER ROGERS: Can you me what the

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1 dual-track program is, really? I'm not --

2 MR. ROSZTOCZY: Dual-track program, basically,
3 would be providing opportunity for individuals to
4 advance in other directions but management. So, you
5 don't necessarily would have to become a manager in
6 order to be able to advance.

7 For example, a scientifically inclined
8 individual, who is not interested to go to management,
9 still would have a chance to progress.

10 Turning now to the bumping and retreat rights.
11 The Committee on Age Discrimination and the Office of
12 Personnel are jointly evaluating the potential impact of
13 bumping and retreat rights, in case of a RIF. We regard
14 this as an important issue, and we intend to work
15 closely with the Committee on Age Discrimination to
16 provide our insights to this study. The study is well
17 along its way, and we are in the process of setting up a
18 meeting with the Age Discrimination Committee, and any
19 insight that we might have, we will provide it to them,
20 so they can factor it in to their overall study.

21 Performance appraisals. We are concerned
22 about the result of some of the studies. You have heard
23 Paul mentioning, I think, some of the results of these
24 studies, which have shown that black employees have
25 received lower percentage of the higher grades than

1 their white counterparts in some areas. And, also, that
2 agency-wide there is a disparity between the performance
3 appraisals of all non-supervisory staff above a certain
4 age group, as compared to the younger staff members.
5 Our committee intends to study the data from the
6 Affirmative Action Advisory Committee and Committee on
7 Age Discrimination studies to identify reasons for the
8 disparity in performance appraisals. We will report on
9 our investigation at a future Commission briefing.

10 With respect to administrative skills
11 training, the Office of Small and Disadvantaged Business
12 Utilization and Civil Rights continues to identify a
13 high rate of "no-shows" in administrative skills
14 training classes. I don't have the exact numbers, but I
15 think in round, it is something like 85 or so people
16 participated in the programs. And there was an addition
17 of more than 60 people who didn't show up -- who signed
18 up for the program, but they didn't show.

19 We would like to work with the Office of
20 Personnel, and try to understand the reasons for those
21 who didn't show -- what was the reason behind them, why
22 they didn't show -- and then see if there is any equal
23 employment implication behind this, why are these "no-
24 shows".

25 This program is an important program of our

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1 overall equal employment program plan. And I think
2 successful execution of the program in the future will
3 be helpful.

4 Finally, I would like to comment on the
5 rotational assignment. The rotational assignment
6 program is in place now. It has been implemented and it
7 is progressing. So, we would like to look at the
8 implementation of this program, and see what we can
9 learn from that and, if we have any insight, we will,
10 again, comment on it in the future.

11 As my comments indicate, our committee is
12 following the formulation and implementation of the
13 various agency programs on equal employment. And we
14 intend -- we do not have the means to undertake any
15 major studies ourselves. We intend to follow closely
16 the work the other committees and the Personnel
17 Department is doing in these areas, work with them, try
18 to avoid redundancy in our efforts, and to arrive at
19 constructive recommendations characterized by fairness
20 and equal opportunity.

21 This completes my comments. If there are any
22 questions, I would be happy to respond.

23 CHAIRMAN ZECH: Thank you very much, we
24 appreciate it.

25 Any comments from my colleagues, before we

1 move along?

2 (No response)

3 CHAIRMAN ZECH: You may proceed with the next
4 presentation.

5 I thank you very much.

6 MR. KERR: Next we will hear from Raji
7 Tripathi, from the Affirmative Action Advisory
8 Committee.

9 MS. TRIPATHI: Mr. Chairman and Commissioners,
10 I am Raji Tripathi, Chairperson of AAAC.

11 I appreciate this opportunity to meet with you
12 and share our views regarding current Equal Employment
13 Opportunity and Affirmative Action issues at the agency.

14 In the last few months, since we met in July
15 for the Commission briefing on the EEO, we have had an
16 opportunity to look at some of the issues that we had
17 brought to the attention of the Commission then, and
18 some additional ones. Rather than listing all of the
19 issues that I am going to talk about, I am going to skip
20 them and address them in detail a little while later.

21 I simply wanted to mention that the AAAC has
22 collaborated with other EEO committees on many of these
23 issues, to make sure that we effectively use our
24 resources, and to ensure that each issue that we are
25 interested in pursuing is adequately addressed. For

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1 instance, we have been working cooperatively with the
2 Committee on Age Discrimination on the mock RIF study
3 and the disparity in performance appraisal ratings
4 between employees in different age groups -- and here I
5 am specifically talking about non-supervisory staff.

6 We have also kept abreast of the NRC Chapter
7 of Blacks in Government activities regarding minority
8 recruitment and retention and, of course, the Federal
9 Women's Program Advisory Committee, their position on
10 the implementation of a formal rotational assignment
11 policy.

12 I would like to address some of the issues
13 that we have been pursuing. First of them is the NRC
14 employee suggestion survey. As Mr. Bird has already
15 pointed out, the suggestion survey is already out and
16 feedback has been rather good.

17 In the July meeting with the Commission, the
18 AAAC and other EEO committees did express our views
19 regarding the need for a survey. We had an opportunity
20 before the survey went out, for our comments, and we
21 would like to see that some of our comments, along with
22 the comments of the other EEO committees, were
23 incorporated by the Office of Personnel before the
24 survey did go out. However, we are concerned that this
25 survey, as it stands now, would give a summary of what

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1 NRC employee concerns are, but it will not provide
2 sufficient information as to what the root causes of
3 those problems are.

4 And as you are well aware, Mr. Chairman, that
5 for several Commission briefings, various EEO committees
6 had emphasized the need for the survey, and the
7 management also recognized -- and there have been
8 ongoing efforts, in fact -- the survey has gone through
9 many reincarnations, but our premise is that a
10 questionnaire of this sort is very general, and it might
11 give us more information than we are aware of now, but
12 it would not be very specific.

13 And what we were suggesting -- and we did
14 express our opinion to Mr. Bird's office -- was that
15 there is a need for a more comprehensive, detailed
16 survey, more of an interactive type, where randomly
17 selected agency employees would be interviewed, maybe by
18 an outside organization, where they can sit down and
19 they would be more informal.

20 I think people speak up a lot more when they
21 talk to somebody, than sit down and fill out a
22 questionnaire when they have to check on what different
23 choice questionnaire.

24 Another issue that we are very much interested
25 in pursuing and are concerned about is the disparity

1 between the performance appraisal ratings of the blacks
2 and whites in certain job categories. In fact, in the
3 November 1987 Commission briefings, we did bring that
4 issue up. And former Commissioner Bernthal had
5 suggested that we look at on-the-job-training and time-
6 in-grade of these employees in order to make a more
7 meaningful comparison.

8 I would like to acknowledge Mr. Bird's
9 presentation in which the Office of Personnel had
10 specifically looked at only the black secretaries
11 regarding both on-the-job-training and time-in-grade,
12 but we think that the limited analysis that we had done,
13 the problem -- and I don't want to say problem, I would
14 use that in quotations -- is not limited to just
15 secretaries or specific job categories, it is through
16 the grades.

17 We have looked at three groups, three to
18 eight; nine to 12, and 13 to 15. That means a detailed
19 analysis has to be undertaken as to if this disparity
20 continues agency-wide, and that this is common through
21 various job series and grades, and not limited to the
22 black secretaries only. I think a detailed analysis is
23 called for.

24 Right now we are very much interested in and,
25 in fact, we join with Blacks in Government, our concern.

1 And we are hoping that organization -- the Office of
2 Personnel would provide a certain formal response once
3 their efforts are completed.

4 The performance appraisal for non-supervisory
5 employees in different age categories is another issue
6 that the AAAC is very much concerned about. Our
7 committee had independently assessed the same issue, ^{Though} but
8 our analysis was not as extensive as the Committee on
9 Age Discrimination had done, but we believe that both
10 the committees -- their efforts highlight that there is
11 a need to identify the causes of these disparities and
12 the ways to resolve them.

13 And, Mr. Chairman, Richard Clark will give you
14 the details of what their findings have been. And we
15 understand that since the July EEO briefing, the staff
16 requirements memo does request the staff should look
17 into this issue in a little more detail.

18 The next issue that the AAAC is very much
19 interested in is that we support the NRC effort to
20 explore the feasibility of implementing a dual-track
21 career ladder for professional staff members, as
22 outlined in the NRC's Five-Year Plan. We believe that
23 the dual-track career ladder system would provide growth
24 opportunities for the current NRC staff, attract a wider
25 cross-section of EEO classes, attract highly-qualified

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1 minorities in non-technical fields, and provide
2 equitable career growth opportunities for all employees.

3 As you are aware, I am sure, that the dual-
4 track career paths have been successfully implemented at
5 other agencies -- and NASA happens to be one of them--
6 so, we expect that implementation of something like this
7 would be very successful at the NRC as well.

8 Another issue dear to our hearts is, again,
9 the mock RIF study that CAD has been very -- has
10 actually taken the leadership to do, on behalf of all of
11 the EEO committees, in collaboration with organization
12 -- the Office of Personnel -- I beg your pardon. We
13 have met with the Committee on Age Discrimination, as
14 well as the Office of Personnel on several occasions, to
15 discuss the progress of this study. We recognize that a
16 RIF is not considered at present, however, the AAAC
17 believes that in the time of budget constraints, it is
18 very important that the impact of such an action, should
19 there be a RIF, it is very important to understand what
20 the impact of such an action would be in the future.

21 And, so, we understand that the Office of
22 Personnel has located certain resources, and CAD has
23 taken the leadership on behalf of the EEO committees.
24 However, there is no strategy in that there is no
25 milestone, there is no tentative deadlines. And rather

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1 than having it as an open-ended effort, we think that
2 this issue is rather crucial and does need allocation of
3 additional resources, or at least given a higher
4 priority.

5 The next item of interest -- actually, we
6 don't know if that is a concern, but we would like to
7 pursue that further is -- the AAAC has requested
8 information from the Office of Personnel regarding
9 hiring of individuals that is outside the agency. It
10 somehow seems contradictory with the potential RIF and
11 hiring from outside. As we know, RIF means that we
12 already have more than what we can accommodate, and we
13 have limited budgets to deal with, so, we have to let
14 some of our people go.

15 Hiring from outside -- and I understand in
16 selective cases, very specialized skills might be needed
17 for the agency, and hiring from the outside might be
18 justified, but somehow it contradicts, or at least
19 challenges -- how do we justify hiring of individuals
20 from outside?

21 We don't have yet detailed information from
22 Mr. Bird's office. And we understand it is on its way.
23 We would like to look into the details of the employment
24 practices, and especially the hiring of individuals from
25 outside, and assess as to what impact it has on the pool

1 of people who are already in the workforce of the
2 agency.

3 The last item that I would like to discuss is
4 rotational assignments. We have talked about this
5 particular item from time to time, especially in the
6 last briefing. We had commented that we welcome the
7 question and answer pamphlet regarding the rotational
8 assignments that was distributed to all employees in
9 July of 1988.

10 We are pleased to see that the employees are
11 being made aware of the rotational assignment program.
12 In fact, many people have participated. Mr. Bird has
13 already presented the data, the breakdown of
14 participation by different groups, both ethnic, origin,
15 gender and so on.

16 We have talked to some other people who have
17 participated in rotational assignments, and the general
18 feeling is that they welcome this thing. This has been
19 an exceptional opportunity for those who have availed
20 it. However, there were some staff members who did
21 comment that many were discouraged by their managers not
22 to seek rotational assignments.

23 I would like to emphasize one thing, that when
24 I make these comments, I am going to come out rather
25 critical, and it is not a criticism of the program. We

1 recognize that it is a valuable program, and we are very
2 pleased that the management has supported it. It has
3 been implemented, it is gaining the momentum, but there
4 is something else which we believe that if it is
5 corrected, it might make a good program even better.
6 And partly -- if some staff members are discouraged by
7 their managers, it puts a very good question "Why are
8 they doing it? Are those rotational assignments no
9 good? Aren't they believers in the rotational
10 assignment program? Or is the manager's perspective
11 only as to what impact it will have on the immediate
12 function of the sponsoring office?"

13 After all, we are all working with the limited
14 manpower, number of FTEs. If one person goes and
15 another warm body does not replace it, the sponsoring
16 office is going to have to accommodate with that
17 deficiency.

18 What we would like to recommend that the
19 management more actively support the rotational
20 assignment program, and possibly develop an NRC manual
21 chapter outlining a formal policy. We do recognize,
22 again, the program is good and it is being implemented,
23 but there is not a formal policy in place.

24 In fact, Mr. Bird had sent out a draft policy
25 for comments, I believe it was distributed to the

1 regional administrators as well as all the office
2 directors, for comments, but we would like to see that
3 the NRC develop a formal policy, that such a policy
4 document should be distributed to all the NRC employees,
5 and that managers should be required to support this
6 policy by encouraging their staff to participate in
7 rotational assignments, whenever possible.

8 We believe that a formal policy and its proper
9 implementation would not only benefit minorities, but
10 the entire NRC staff. We plan to request the Office of
11 Personnel data on employees who have participated in
12 this program, or are currently participating, so we can
13 assess as to how equitable the program has been.

14 In conclusion, I would like to mention that
15 the AAAC recognizes that we are -- our role as an
16 advisory group, and although our resources are rather
17 limited, we believe that whatever comments we offer or
18 the efforts that we make will only constructively assess
19 the agency in meeting its EEO plans.

20 And that concludes my presentation. I would
21 like to answer any questions that you might have.

22 CHAIRMAN ZECH: Any questions from my fellow
23 commissioners?

24 Commissioner Carr.

25 COMMISSIONER CARR: On your outside hiring, if

1 we don't hire outside, of course, we are limited to
2 those minorities and women that we already own.
3 Somewhere you've got to -- you've got to build a basis,
4 so that you can change some of these numbers that we
5 don't like.

6 MS. TRIPATHI: That's true, Commissioner, and
7 your point is well taken. As you know, there is always
8 some people leaving and some new people going; there is
9 always going to be. And as I did acknowledge, there are
10 certain specialized skills for which you might want to
11 replace from outside because those who -- there might be
12 other equally qualified individuals, but they are
13 already performing some other functions, but here I am
14 going beyond minorities.

15 I was talking, in general, that covers all of
16 the employees. That means hiring of, say, white males
17 from outside, not necessarily would mean it would be
18 detrimental or discriminatory only to blacks, Hispanics,
19 or American Indians, or Asians, for that matter. It
20 could be just as much discriminatory to, say, all other
21 NRC staff employees. When an outsider comes in and
22 there is already limited promotional potential, there is
23 a competition.

24 We have a pool of people, and an outsider
25 comes in, there is always going to be some competition

1 that was not there to begin with.

2 COMMISSIONER CARR: I guess I support the idea
3 that promoting your own is better than hiring from
4 outside, if they are qualified and eligible.

5 MS. TRIPATHI: That sounds sweet. As they say
6 "Charity begins at home", doesn't it?

7 COMMISSIONER CARR: Right.

8 CHAIRMAN ZECH: All right, any other comments?

9 (No response)

10 CHAIRMAN ZECH: All right, let's proceed then.

11 MR. KERR: We would like to continue with Mr.
12 Clark, from the Committee on Age Discrimination.

13 MR. CLARK: Mr. Chairman and fellow
14 Commissioners, it is a real pleasure to be here today.
15 We want to thank you for the opportunity to -- at these
16 semi-annual meetings. Particularly, Mr. Chairman, we
17 appreciate your interest, and that we are going to miss
18 it.

19 I also want to put in a plug and thank Raji
20 and Zoltan for the plug you put in for me in your
21 presentations.

22 About ten years ago, our committee was
23 established to advise the EDO on matters pertaining to
24 age discrimination, and we have been looking at a lot of
25 things, training and promotions, and career development

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1 and job selections, and performance appraisals, and what
2 not.

3 What I really want to concentrate on today is
4 just one subject, and that is performance appraisals.
5 Why do we pick performance appraisals? For one thing,
6 almost all non-SES personnel -- in fact, everybody just
7 about -- gets a performance appraisal. There is a large
8 statistical data base to work from in those statistics.
9 And, also, performance appraisals play a major role, as
10 you can imagine, in career development, particularly
11 promotions, at NRC. It can affect your training, and
12 advancement opportunities.

13 In last July, the Office of Personnel put out
14 an evaluation of the performance appraisals, and there
15 was one statement in there that we took strong
16 disagreement, as you know, Paul, with, the fact that you
17 didn't seem to feel that there was any evidence of age
18 discrimination.

19 We have, as usual -- we have a number of
20 statisticians in our group, and a lot of people that are
21 willing to help, and even from outside the agency. And
22 I think we have done a fairly comprehensive evaluation
23 of the performance appraisal data, not only this year,
24 but going back to 1982, as we have in the past. And
25 what we have found, when you break it down -- if you are

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1 not looking at the agency as a whole -- and when you
2 start breaking it down into categories, like the 801
3 Series, where there are a large number in that series,
4 that in some places you are going to find a very strong
5 statistical evidence of age discrimination, and that
6 particularly among scientists and engineers throughout
7 the agency and, more particularly, the same thing that
8 we have been finding since 1982, a real strong
9 statistical evidence of age discrimination for those
10 people in NRR, who are over 40, and particularly, more
11 so, even over 50.

12 The one thing we were disappointed in, Mr.
13 Chairman, was that we had sent a memo to Personnel,
14 requesting that the results of our statistical analysis,
15 with the rebuttal or whatever they wanted, to be
16 distributed to management, to let them know at least
17 what our study had indicated. And to my knowledge, I
18 don't believe that was distributed, or anything similar
19 to it. I will let Mr. Bird address that.

20 I submit that one of the things you asked in
21 the staff requirements memo, Mr. Chairman, was that you
22 questioned the reasons for the high number of age
23 discrimination complaints within NRR. I submit that one
24 possible explanation really is the long-standing
25 practice, and practice of age discrimination with

1 respect to certain promotional codes within NRR.

2 But you may think I have been criticizing the
3 Office of Personnel but, on the other hand, I want to
4 really take this opportunity to thank not only Paul, but
5 all of his entire staff. You have a number of the
6 satellite people here, too. They have been just great
7 to work with, and they have been very helpful. And
8 they've spent a lot of time and resources and effort in
9 providing data to us. We, obviously, could not do these
10 analyses without the data from Personnel.

11 So, while on one hand we may be critical, but
12 we are also appreciative of your help and support, Paul.

13 CHAIRMAN ZECH: Thank you very much. We
14 appreciate it.

15 Any comments from my colleagues, before we
16 continue?

17 COMMISSIONER ROGERS: Yes.

18 CHAIRMAN ZECH: Commissioner Rogers?

19 COMMISSIONER ROGERS: Have you looked at the
20 opportunities available and the rate at which they are
21 being used for continuing professional education in that
22 over- 50 age group?

23 You are looking at the non-supervisory
24 engineers and scientists, and their strong suit has to
25 be their technical capabilities and scientific

1 capabilities, and those have to be upgraded continually,
2 to be able to be at the cutting edge of the fields they
3 are working in. And I think it is important to look to
4 see, in that age group, the extent to which
5 opportunities are available to them for continuing
6 professional development, and the extent to which those
7 opportunities are being used and availed -- taken up by
8 that group, in assessing this statistical data on age
9 discrimination.

10 MR. CLARK: We would answer your question, no,
11 we have not looked at it. I don't know how we would get
12 the data on individual employees, unless you talk to
13 them.

14 COMMISSIONER CARR: Could we get a report on
15 the number of training applications from various age
16 groups?

17 MR. CLARK: Yes.

18 COMMISSIONER CARR: Why don't we break that
19 out, and see what it looks like?

20 COMMISSIONER ROGERS: Well, particularly, in
21 the purely technical and scientific area, not
22 managerial, because we are looking at a non-supervisory
23 group here, and that's where there seems to be a
24 statistical problem. Now, is there some basis for this
25 in terms of technological obsolescence?

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1 And I think that is a question that really has
2 to be looked at, when you want to assess what appears to
3 be a strong statistical evidence for age discrimination.

4 MR. CLARK: Well, I appreciate that
5 suggestion.

6 CHAIRMAN ZECH: Any other comments?

7 (No response)

8 CHAIRMAN ZECH: All right, thank you very
9 much.

10 COMMISSIONER CARR: Those promotions for those
11 non-supervisory engineers and scientists, are those
12 promotions to a supervisory position that you are
13 worried about?

14 MR. CLARK: No, primarily, just in a non-SES,
15 like from 13 to 14 to 15s.

16 COMMISSIONER CARR: Okay.

17 CHAIRMAN ZECH: Any other questions?

18 (No response)

19 CHAIRMAN ZECH: Thank you very much. Let's
20 proceed.

21 MR. KERR: I would like to continue with Ms.
22 Black from the Federal Women's Program Advisory
23 Committee.

24 CHAIRMAN ZECH: All right, thank you.

25 Ms. Black, you may proceed.

1 MS. BLACK: Thank you.

2 Mr. Chairman, Commissioners, the Federal
3 Women's Program Advisory Committee continues to have
4 concerns at NRC relating to equal employment
5 opportunities for women. We note that some small
6 progress has been observed since our July 1988 report to
7 you in terms of women in SES positions. We continue to
8 believe that NRC must aggressively seek to improve its
9 representation of women in management, and hope that
10 there will be still more female members of the SES at
11 NRC at our next meeting with you.

12 Based on the current Five-Year Plan, the NRC
13 faces a stable personnel ceiling over the next several
14 years. That is, there will be little growth in the
15 numbers of personnel. With an historically low
16 attrition rate, NRC will have few opportunities for the
17 upward movement of female employees, unless all levels
18 of management are dedicated to programs to facilitate
19 such upward movement.

20 We have submitted a proposal to Personnel, to
21 establish a program, one that we have called Upward
22 Bound, that would do three things: One is identify
23 positions that could be filled by non-degreed personnel
24 with some amount of specialized training; secondly,
25 would identify the specialized training that could

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1 qualify personnel for the positions; and, third, it
2 would try the program.

3 We further note that the job analysis and
4 restructuring item of the multi-year consolidated EEO
5 Plan, calls for advertising positions using multi-
6 disciplinary occupations to broaden the availability
7 pool, accepting related academic degrees instead of
8 specific degrees. To augment the Upward Bound proposal,
9 FWPAC asked Personnel to review all vacancies, to
10 determine whether some positions for which a degree was
11 required, could be filled by non-degreed personnel.

12 Our request to review the degree requirements
13 for vacant positions represents an extension, we
14 believe, of the job restructuring item in the EEO Plan.

15 If NRC can establish the Upward Bound Program
16 and undertake the review of vacancies, as we have
17 suggested, we believe that greater opportunities would
18 be available for our current non-degreed employees, many
19 of whom are women.

20 Thank you.

21 CHAIRMAN ZECH: Thank you very much.

22 Questions from my fellow commissioners?

23 COMMISSIONER CARR: We aren't prevented from
24 putting a non-degreed person in a degreed requirement,
25 are we?

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1 MR. BIRD: No. We will state on all of our
2 announcements that it is degree, or equivalent
3 experience. So, if the experience is there, that can
4 offset the degree requirement.

5 CHAIRMAN ZECH: Any other questions?

6 (No response)

7 CHAIRMAN ZECH: All right, let's proceed.

8 MR. KERR: Mr. Chairman, we would like to
9 finish our presentation with Mr. Pettijohn from Blacks
10 in Government.

11 CHAIRMAN ZECH: All right, thank you.

12 MR. PETTIJOHN: Mr. Chairman and
13 Commissioners, my name is Sam Pettijohn. I am here to
14 represent the views of the NRC chapter of Blacks in
15 Government.

16 Blacks in Government is a national
17 organization that is concerned with the cultural and
18 professional development of black employees in the
19 federal, state and local level. The national
20 organization is comprised of local chapters, such as
21 ours here at NRC, which subscribe to support the efforts
22 of the national organization, but is also concerned
23 about issues that affect black employees at a local
24 level.

25 The chapter here at NRC, for example, serves

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1 as an EEOC advisory committee to the Commission and to
2 senior management. In doing this, we attempt to
3 represent the views of our membership in particular, and
4 the views of all black employees at NRC in general, on
5 issues that affect them.

6 I would first like to express our gratitude
7 for the opportunity to address the Commission on the
8 very important issue of improving EEO at NRC. We fully
9 support NRC's efforts expended on equal opportunity for
10 all employees, as documented in the Multi-Year
11 Consolidated EEO Program Plan. In particular, we
12 applaud the implementation of these semi-annual
13 Commission briefings on the agency's EEO program, which
14 were initiated by the Chairman several years ago.

15 We believe our participation in these
16 briefings carries with it the responsibility to
17 represent the views of black employees as frankly as
18 possible. In the past, we have tried to speak candidly
19 about issues that affect us, and it is in the same vein
20 that we offer our comments today, regarding what we
21 consider the bottom line for black employees, and that
22 is, how the average black employee is affected in the
23 work environment on the day-to-day basis.

24 The particular issue that we are addressing to
25 the Commission today is the low number of black

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1 employees in senior management positions.

2 We looked at senior management positions at
3 NRC, and we -- this is our definition which, I believe,
4 tracks very much NRC's at division level and above--
5 and noted about 8 percent, approximately -- I'm sorry--
6 about eight, or approximately 5 percent, are filled by
7 black persons. If you look a bit further, you will see
8 that only two of these that we consider in technical
9 areas, but the issue we raise is not the actual numbers
10 because those are facts, but the issue that we raise is
11 the significance of the numbers, and the subsequent
12 impact they have on employment opportunities for black
13 employees.

14 We believe the significance, first of all, is
15 that black employees have few role models and,
16 consequently, have a tough time reconciling the fact
17 that blacks can become senior managers when they see so
18 few senior managers at NRC.

19 Secondly, it has been ^wshown that the presence
20 of employees of a racial or ethnic group at higher levels
21 of management can prevent the introduction of negative
22 attitudes regarding that racial or ethnic group into the
23 work place.

24 We submit, therefore, that the lack of black
25 employees in senior management positions carries with it

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1 the potential for the introduction of attitudes of the
2 workplace that could have a negative impact on equal
3 employment opportunity for black employees.

4 Thirdly, the distribution of management
5 employees by racial groups is some indication of the
6 overall effectiveness of an entity's EEO program.

7 (Slide)

8 In Table I, which is part of the attachment,
9 we show again the breakdown by organization of what we-
10 - in senior management, the number of black employees.
11 The data in Table I is current data, and we believe,
12 though, if you review the history of employment in NRC,
13 you will see relatively the same numbers. The data
14 suggests that not much has changed over the years.

15 Our review of the current data on black
16 employee distribution by grade and office suggests, in
17 the future the current situation is unlikely to change.

18 (Slide)

19 And in Graph 1 and 2, what we did is looked at
20 the distribution of black employees by grade -- that's
21 the breakdown of the total black employees -- and if you
22 look between six and 11, we have about 70 percent black
23 employees, in 15 through SES, about 5 percent.

24 Now, the 5 percent of the 15 through SES would
25 be the feeder group for what eventually -- people come

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1 out of that group and go into senior management
2 positions.

3 Also, I had another chart that I would like to
4 pass out, that came from looking at the data that was
5 prepared by OSDBUCR, that gives a little better
6 definition of black employees, in particular, whereas
7 the data by OSDBUCR includes everybody.

8 And, basically, what it shows is that most of
9 the black -- when you are looking at higher level, 16 to
10 18, that most of the black employees are concentrated in
11 those high positions -- most of the white male employees
12 are concentrated in those positions whereas black
13 employees, when you are looking down at the feeder
14 groups, you are looking at about 2 to 3 percent.

15 (Slide)

16 Graph 2, which is the second graph in your
17 briefing package, is the distribution of black employees
18 by NRC organization, and really was included to show
19 that about a third of the black employees are really in
20 the Office of Administration.

21 Again, looking at senior management positions
22 as far as feeder groups, people tend to come out of NRR,
23 the regional offices and other program offices.

24 Continuing, we continue to believe that NRC--
25 I lost my place here -- we continue to believe NRC

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1 should continue to try to improve the representation of
2 black employees. We believe that unless NRC takes a
3 proactive approach in addressing this situation, the
4 number of black employees in senior management positions
5 will continue to be low and, consequently, equal
6 employment opportunities for black employees will
7 suffer.

8 On the basis of our presentation, we would
9 like to offer the following suggestions:

10 The NRC should consider recruiting from
11 outside the agency for senior management positions--
12 for example, office director and deputy office director.
13 And I might add here that we also -- while we understand
14 the way Commissioners are selected, we understand that
15 there will be an opening on the Commission in June, and
16 that something that should be considered, as far as any
17 influence that could be exerted, is in regard to a black
18 candidate, at least for consideration for that opening.

19 Secondly, we suggest that management should
20 more closely monitor the efforts of individual offices,
21 to ensure that black employees are afforded more
22 opportunities to develop, among other things -- through,
23 among other things, training and job assignments.

24 In closing, I would like to thank the
25 Commissioners for the opportunity to address you today,

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1 and also, pledge to continue the efforts of the NRC
2 chapter of Blacks in Government, to improve upon the
3 NRC's EEO Program.

4 Thank you.

5 CHAIRMAN ZECH: Thank you very much.

6 MR. STELLO: We are through, Mr. Chairman.

7 CHAIRMAN ZECH: All right.

8 Comments of my fellow commissioners?
9 Commissioner Roberts?

10 COMMISSIONER ROBERTS: I want to ask Paul Bird
11 if Mr. Pettijohn's Table I, Relative Number of Black
12 Employees in Senior Management Positions -- can I get
13 something similar for women and other minorities?

14 MR. BIRD: Yes, sir. I don't know exactly how
15 Sam put this chart together, and we haven't analyzed or
16 worked our data, but you can certainly get that.

17 MR. STELLO: We will provide it to you.

18 COMMISSIONER ROBERTS: Thank you.

19 CHAIRMAN ZECH: Commissioner Carr.

20 COMMISSIONER CARR: Yes, as you pointed out,
21 one of the problems is, if you don't have the numbers in
22 the feeder groups, you cannot have the numbers at the
23 top, if we are going to take from within and promote.

24 Do you have any suggestions on how to do
25 better in that area?

1 MR. PETTIJOHN: As far as the potential --

2 COMMISSIONER CARR: You've got to get them up
3 there in the high enough grades to move them into the
4 SESs.

5 MR. PETTIJOHN: Yes, I think that, you know,
6 from what we have looked at over the last several years,
7 a lot -- everything -- sort of a great part of
8 everything depends on job assignments and development of
9 the employees when they come into the agency, and as
10 they move through the agency. If you wait, and somebody
11 is here for eight to ten years, it is very difficult to
12 turn around and all of a sudden decide to move somebody
13 into any position. You are going to cause lots of
14 problems for a lot of reasons.

15 So, what I would like to see is more emphasis
16 placed on the local section branch chief, division
17 level, as far as developing employees over a long period
18 of time, rather than getting in these so-called EEO
19 crunches where we think we've got to promote somebody.
20 And it tends to have a negative effect, both on the
21 employee, and with the agency.

22 COMMISSIONER CARR: Did we break out the
23 numbers in attrition rates between blacks, minorities
24 and all others?

25 MR. BIRD: We don't have that with us.

1 COMMISSIONER CARR: We have a very low
2 attrition rate, but is it skewed?

3 MR. BIRD: I don't believe it is. Again,
4 we've only looked at segments of the population, not the
5 whole population, but we can certainly do that, and let
6 you know.

7 COMMISSIONER CARR: Well, I am concerned if we
8 are not getting -- if the pipeline is not going to fill
9 up, we are going to be in trouble. So, I am trying to
10 get some solution of that problem.

11 MR. STELLO: Mr. Chairman, if I can make a
12 comment?

13 CHAIRMAN ZECH: Yes, please.

14 MR. STELLO: We have made considerable effort
15 at targeting various universities and colleges, to try
16 to recruit. We are doing about everything that we know
17 of, that we can find a way to bring in people because
18 that's the key, is you've got to fill in the pipeline so
19 that they can move up.

20 COMMISSIONER CARR: Well, I was looking at the
21 Senior Executive Service Annual Report on the pipeline,
22 basically, the minorities in feeder groups of September
23 '87. And where everybody in government is 7.3 percent,
24 but this is only minorities, we've got 10. Where
25 they've got, in the GS- -- that was in the 15s; in the

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1 GS-14s, there is 9.6 percent minority in the feeders,
2 and NRC is at 17 percent.

3 In the 13s, they are 12.3 overall, and NRC has
4 15. And I don't have the data for the rest of it there,
5 but it looks like we've got a better feeder group
6 representation for SESs than the average government, but
7 that doesn't split out whether we don't have the blacks
8 in that group taken care of. So -- that's all I have.

9 MR. KERR: Well, not only that, Commissioner,
10 as I indicated, most of our women and minorities are in
11 administrative disciplines whereas our SES positions are
12 heavily on the technical side.

13 COMMISSIONER CARR: Which builds up our feeder
14 group, but doesn't move them into the SES positions.

15 MR. KERR: True, that's true.

16 COMMISSIONER CARR: Okay.

17 CHAIRMAN ZECH: Thank you very much.

18 Commissioner Rogers?

19 COMMISSIONER ROGERS: No, I don't have
20 anything.

21 CHAIRMAN ZECH: Commissioner Curtiss?

22 COMMISSIONER CURTISS: I don't have any
23 questions. I would just like to thank everybody for the
24 presentations, and the time and effort you devote
25 throughout the year. It has been very helpful for me.

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1 CHAIRMAN ZECH: Well, let me just make a few
2 comments.

3 First of all, Mr. Rosztoczy talked about the
4 EEO Labor/Management -- from the EEO Management Advisory
5 Committee, talked about the employee suggestion survey,
6 as did others. And has that survey been completed?

7 MR. BIRD: Yes, sir, that has been distributed
8 and the return information is now being compiled.

9 CHAIRMAN ZECH: That's what I thought, but--
10 so you are compiling it now?

11 MR. BIRD: Yes.

12 CHAIRMAN ZECH: And I would just hope that you
13 would distribute that to the Commission, as well as to
14 the advisory groups and others, when you have it
15 compiled.

16 MR. BIRD: Absolutely.

17 CHAIRMAN ZECH: And when do you expect that
18 will be done?

19 MR. BIRD: In March.

20 CHAIRMAN ZECH: In March.

21 All right. Mr. Rosztoczy --

22 COMMISSIONER CARR: Was the request for the
23 submission of the analysis, or for the data, so they can
24 analyze it themselves?

25 MR. STELLO: We will give them both.

1 CHAIRMAN ZECH: Mr. Rosztoczy also mentioned
2 the dual-track career paths, as did others, too. And I
3 trust that the Office of Personnel will make these
4 findings available to the Commission, when they can.
5 And, also, if appropriate, I would say it may be
6 something to consider for the Five Year Plan.

7 MR. STELLO: Yes.

8 COMMISSIONER CARR: Effectively we don't -- we
9 have dual-track through 15?

10 MR. BIRD: Yes, we've looked at this rather
11 extensively, and compared to other agencies, including
12 NASA. And what we found is the dual-track is occurring
13 in NASA and here, up to the pay cap. Going beyond the
14 pay cap requires legislation. And in order to get a
15 true career track salary-wise, we would have to affect
16 some kind of legislation to allow us to do that, or get
17 into some kind of experimental program with OPM, to
18 allow us to do that.

19 We can go to a certain point, and we do
20 something here very similar to what NASA does in that
21 regard. In fact, I would say we are doing exactly the
22 same things. To go beyond that, to actually get
23 parallel in salaries at the higher levels, particularly
24 SES, we would have to have some kind of legislation to
25 allow us to do that.

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1 CHAIRMAN ZECH: All right, regarding the
2 bumping and the RIF study that was mentioned, too, I
3 would hope that the Office of Personnel would comment
4 back to the Commission on that regard, when you can.

5 Both Mr. Rosztoczy and Ms. Tripathi mentioned
6 disparity in performance appraisals, and it was
7 mentioned by others again, too. And I would appreciate
8 any comment the Office of Personnel could have on that.

9 We mentioned secretaries, but also it was
10 suggested we expand it to other groups, other
11 categories, and I think that would be useful to do that,
12 too, to make sure that the performance appraisals are
13 being handled fairly.

14 What we saw here today would lead me to
15 believe that we are doing a reasonably good job in this
16 regard, but in some areas it does look like perhaps we
17 should look at it a little more carefully.

18 As far as the "no-shows" for training classes,
19 I think that's a management responsibility, in my view.
20 Training is important for our people. When we have
21 training scheduled, I would hope that we could fill
22 those training seats.

23 I recognize that it is always difficult to
24 allow people to stay away from their primary
25 responsibilities, but I think we've got to realize that

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1 training is something that is valuable, and it is also
2 something that we must allow our people to do, and
3 encourage them to do.

4 So, I don't know that "no-shows" is -- my
5 experience has been it is not always the fault of
6 individuals, it is sometimes the fault of management, or
7 at least it is a combination, and I would hope that our
8 managers could take a look at that, and assist in that
9 regard.

10 COMMISSIONER CARR: Do you want -- when you
11 breakout that "no-show" study, to also break out where
12 the managers are? Or what groups they "no-show" from?

13 CHAIRMAN ZECH: I think that might be useful.

14 MR. BIRD: We can do that, I think. We can
15 track that.

16 CHAIRMAN ZECH: I think that would be useful.

17 On rotational assignments, I would ask the
18 Office of Personnel to give us a -- at the next meeting
19 we have, our next periodic meeting, to give us a summary
20 of how we stand on that. A number of people commented
21 on that here today.

22 I think the rotational assignments has
23 potential for being an excellent program. I think it is
24 being handled very well, from my observation, but I
25 would think the Commission would be interested in a

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1 little bit more from the Office of Personnel standpoint,
2 and also, not just the statistics on it, I would hope
3 that, perhaps, Mr. Stello, you could give the Personnel
4 people your views, so that you may also comment on it
5 just a little bit more at the next meeting.

6 MR. STELLO: I can tell you now, I very, very
7 strongly support the program.

8 CHAIRMAN ZECH: I think it is a good program,
9 too, but --

10 MR. STELLO: It has been very, very positive,
11 and the people that are participating in it, all of them
12 that I have talked to, the results have been very, very
13 good.

14 COMMISSIONER CARR: Could we ask for "cheat
15 sheets" from the people who participate?

16 MR. STELLO: I've talked to them personally,
17 interviewed them. I don't believe --

18 COMMISSIONER CARR: I would be interested in,
19 you know, having a small, one-page follow-up from the
20 participants, and then have a one-page follow-up from
21 the managers who lend them.

22 MR. STELLO: I have interviewed both, and I
23 think that is probably a good idea to get --

24 COMMISSIONER CARR: I am concerned about --

25 MR. STELLO: We'll do it.

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1 COMMISSIONER CARR: -- the guy who is getting
2 behind in his work while they're gone, as much as I am
3 --

4 MR. STELLO: We will get it for both managers
5 -- the one that received the individual, as well as the
6 one it left from, as well as the individual -- from all
7 three. I think it is a good idea.

8 CHAIRMAN ZECH: Ms. Tripathi mentioned a
9 number -- the same issues that Mr. Rosztoczy did, but
10 she -- I think she emphasized the rotational assignment
11 issue. Again, I would agree with you, Mr. Stello, it's a
12 very valuable program. I think what we need to do in
13 this regard, though, is to make sure that our managers
14 are supporting the program, and recognizing that they
15 have operational needs of their people. And there are
16 times, I certainly know, when it is very difficult to
17 allow their people to rotate, but I think the success of
18 that program, at least to a large degree, depends on the
19 managers' support and encouraging it, recognizing that a
20 little bit of time away, perhaps, as -- in the same
21 regard as the training -- has maybe a short-term
22 difficulty, but has a long-term benefit, not only to the
23 individual, but to our agency.

24 Let's see -- Ms. Tripathi mentioned a number
25 of other issues, she also mentioned the survey. And,

1 perhaps, she suggested more detailed information and,
2 also, interviews that would, on an informal basis, might
3 be more valuable.

4 I think the Office of Personnel should at
5 least take that under advisement and, perhaps, see what
6 -- if that seems to be something that would be useful
7 and perhaps more informative, than the survey itself.

8 I would hope that we have some kind of a
9 program of informal interviews, perhaps by our managers,
10 when people leave the agency, but perhaps Office of
11 Personnel could not only talk a little bit about -- the
12 next time about the survey, but also about our
13 procedures for determining the real reasons that people
14 are leaving the agency, and getting a little bit behind
15 the charts that we saw here today.

16 MR. STELLO: All right.

17 CHAIRMAN ZECH: The disparity of performance
18 appraisals was mentioned. We focused on generally
19 secretaries, but I think that it was also brought out
20 that we should look at that, to see if there is any age
21 discrimination involved in those performance appraisals.
22 And I think that perhaps other categories, too, might be
23 looked at.

24 COMMISSIONER CARR: In the age discrimination
25 --

1 CHAIRMAN ZECH: Yes.

2 COMMISSIONER CARR: -- does the Committee on
3 Age Discrimination at both ends of the cycle -- look at
4 both ends of the cycle?

5 MR. CLARK: In the secretarial series?

6 COMMISSIONER CARR: Sometimes you are
7 discriminated against because you are young and
8 youthful.

9 (Laughter)

10 COMMISSIONER CARR: I am sure the junior
11 people would like to be represented in that group.

12 MR. CLARK: I don't think that's the focus.
13 I will pass on that.

14 (Laughter)

15 CHAIRMAN ZECH: Well, he's challenging you,
16 Mr. Clark, to focus on age discrimination amongst our
17 juniors, perhaps, as well as our seniors. So, maybe next
18 time you can talk to us a little bit about that, also.

19 MR. CLARK: Okay.

20 CHAIRMAN ZECH: Well, let's see, it
21 skipped to Mr. Pettijohn. Mr. Pettijohn mentioned
22 an interesting suggestion, which others of you
23 commented on, too, and that is the low number -- he
24 focused on the low number of blacks in senior
25 management positions, but also suggested outside

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1 hiring. And we also know, and I am sure ~~we~~ realize,
2 that there is always a balance between hiring outside or
3 promoting from within, but I think his point is that, at
4 least as I understand it, is that if we wait to promote
5 from within, it's going to take an awful long time to
6 see a black, perhaps, in a very senior management role.
7 At least I think that suggestion is something that
8 should be looked at.

9 It is my understanding, though -- and I think,
10 Mr. Bird, you pointed out -- that the SES requirements
11 do go governmentwide. And we recognize that our
12 technical agency, to a large extent, is looking for
13 people with the technical background that we need. On
14 the other hand, I think the point that Mr. Pettijohn is
15 making is something that is already within the process
16 that we have, and I think it should be looked at and
17 considered very carefully.

18 Again, promoting from within is always
19 something that is desirable from a morale standpoint
20 but, on the other hand, I think that if we can clearly
21 find, for example, a black or a woman who -- minority,
22 or some category who has, clearly, the qualifications
23 that everyone could recognize -- it has been my
24 experience in that situation, that's accepted by people
25 because they recognize that that person truly is

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1 qualified and deserves the job, and can make a
2 contribution to the agency. So, I think that point is
3 something that we should consider.

4 As far as Mr. Clark, on his focus on the age
5 discrimination problems, talked about performance
6 appraisals and suggested, I believe, that our managers
7 should be encouraged to perhaps emphasize the
8 sensitivity to age discrimination. It seems to me that
9 that ought to be something else that the Office of
10 Personnel should look at, to see that we are not
11 discriminating because of age and, as Commissioner Carr
12 has pointed out, on either end of the scale, but that we
13 should be sensitive to the fact that we are trying to
14 promote and move our people into positions of
15 responsibility because of their qualifications,
16 regardless of their particular sex, or race, or age.

17 So, I think it is important that we make sure
18 that perhaps some kind of a reminder -- a memorandum to
19 our managers might be in order in that regard.

20 Commissioner Rogers pointed out that training,
21 as far as some of our senior people, would be something
22 that should be looked at perhaps, to see if they are
23 trying to keep up and avail themselves of programs that
24 might enhance their value to the agency. I think that
25 was a good suggestion.

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1 I would like, though, for Office of Personnel
2 to get back to us regarding the age discrimination
3 comments that Mr. Clark made, at our next meeting, and
4 perhaps talk a little bit more about how we stand on
5 that across-the-board.

6 Ms. Black, of the Federal Women's Program, has
7 proposed, as I understand, an Upward Bound Program which
8 would emphasize specialized training for non-degreed
9 people, that would and could qualify them to fill
10 positions that are now ordinarily filled by degreed
11 personnel.

12 We heard from Mr. Bird that that could be
13 accommodated. I think that the added training, perhaps
14 even education -- also, added education for our non-
15 degreed people certainly would enhance their ability to
16 move into more responsible positions. And I would hope
17 that the Office of Personnel could explore that
18 suggestion also, to see that we are doing as much as we
19 can in that regard.

20 Those are some of the key comments, there are
21 many others, and I think we will have to make sure that
22 we look to see that -- with the transcript, Mr. Bird, I
23 would like you to go through it carefully, and make sure
24 that at the next meeting we are responding to the
25 comments and suggestions that ^{were} ~~are~~ made here.

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1 Let me just conclude by saying to Mr. Kerr
2 that I think you have got not only a very large
3 responsibility, but I think you are doing a very good
4 job, in a very difficult area. I think you are to be
5 commended. I also think Office of Personnel is to be
6 commended, by their response, as Mr. Clark and others
7 have mentioned here -- the Office of Personnel certainly
8 has done a very find job in helping and bringing the
9 statistics available, and also looking at our policies,
10 and I hope that they would continue to do that.

11 The staff, in general, I think, is doing a
12 good job in this regard. I don't think we have anything
13 to look at today with great concern, although we never
14 seem to be making as much progress as we would like to
15 make. I think in some areas we can notice that the
16 progress has been steady. And I think that our agency
17 has been fair. That does not mean we cannot do a better
18 job, and that's kind of why we have these meetings, to
19 look and see how we are doing and how we can do a better
20 job, but I would like to particularly commend those of
21 you here at the table who have taken on additional
22 responsibilities, and they are additional
23 responsibilities to your regular job in our agency,
24 representing the various categories of our people.

25 People are, in my view, the most important

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1 part of the agency. People are the strength of our
2 country. Every race, creed, religion, nationality, sex
3 is important to us. We are really a little cross-
4 section of America here in our agency. And I think, you
5 know, the goals of our country are to justice, equality
6 and equal opportunity.

7 We know that there are imperfections in our
8 country, and I am sure there are imperfections in our
9 agency, but our efforts are to try to improve. That is
10 our country's goals, and I think that is our agency's
11 goals. So, whereas we should not be satisfied with what
12 we see, I think we should recognize that we truly are
13 trying to do anyway what our constitution provides and
14 directs us to do.

15 So, I want to thank those of you here at the
16 table who really are doing a little bit more than
17 perhaps some, by contributing some of your time and your
18 efforts and your interest to your fellow man and your
19 fellow woman. It's important that we do this because,
20 again, I think the human element, as we know, in our
21 power plants and nuclear material's licensing and other
22 activities that we are responsible for, is a very
23 important part, perhaps the most important part, in my
24 view, but the same thing applies to us here in our
25 agency. People are our greatest strengths and, so,

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1 these sessions, I think, are very important.

2 I want to commend all of you and thank you
3 specifically for helping me, in my time here as the
4 chairman, to focus on these very important human
5 elements.

6 I think by so doing, we are indeed making this
7 a better agency, and we are making a contribution to our
8 country. So that has given me a lot of satisfaction. I
9 wish we could do better. I will watch in the next few
10 months, also, to see if we can't do better. And I will
11 follow the agency's progress, when I leave this agency,
12 but I want to thank all of you who have been personally
13 involved in trying to do what we can for our fellow man
14 and, in so doing, I really truly believe we are serving
15 our country. And those of you in these leadership roles
16 are the ones I want to particularly thank for assisting
17 me in trying to carry out what I think is so important,
18 and that is the dignity of the human being, and the
19 value of our own personal contribution to our agency and
20 to our country.

21 Are there any other comments from my fellow
22 Commissioners?

23 COMMISSIONER CARR: I might say while we think
24 this is a very important subject, it is obvious to me
25 our people do, too, because I see a lot of faces out

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1 there that I don't normally see at Commission meetings,
2 and I am happy to have you.

3 CHAIRMAN ZECH: A very good comment.
4 Everybody is involved, it is not just those of us here
5 -- and Commissioner Carr is right, we are very happy to
6 see so many of you at the meetings that we don't always
7 see.

8 It is a truly important subject. We are very
9 -- the Commission, I know, is committed to equal
10 opportunity, and doing the best we can for our agency
11 and our country, and we know you are, too, all of you,
12 the audience and all of you, perhaps, in the building
13 listening -- you are all important, all of you are
14 important to our agency and to our mission. So, we
15 thank not only those of you at the table for your
16 leadership, but we thank all of you in our agency who
17 are truly all fine Americans, and all winners, as far as
18 I am concerned.

19 Any other comments?

20 (No response)

21 CHAIRMAN ZECH: All right, thank you very
22 much. We stand adjourned.

23 (Whereupon, at 11:50 a.m., the meeting was
24 adjourned)

25

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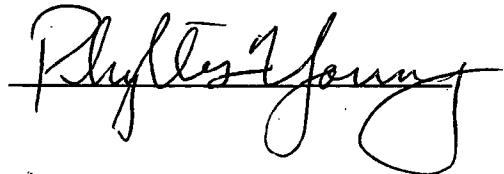
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TITLE OF MEETING: PERIODIC BRIEFING ON EEO PROGRAMS

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: FEBRUARY 2, 1989

were transcribed by me. I further certify that said transcription
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(if other than transcriber)

EEO BRIEFING AGENDA

Opening Remarks

Chairman Zech

EEO Accomplishments/Initiatives

V. Stello

EEO Update

W. Kerr

Responses to the Commission

W. Kerr
P. Bird

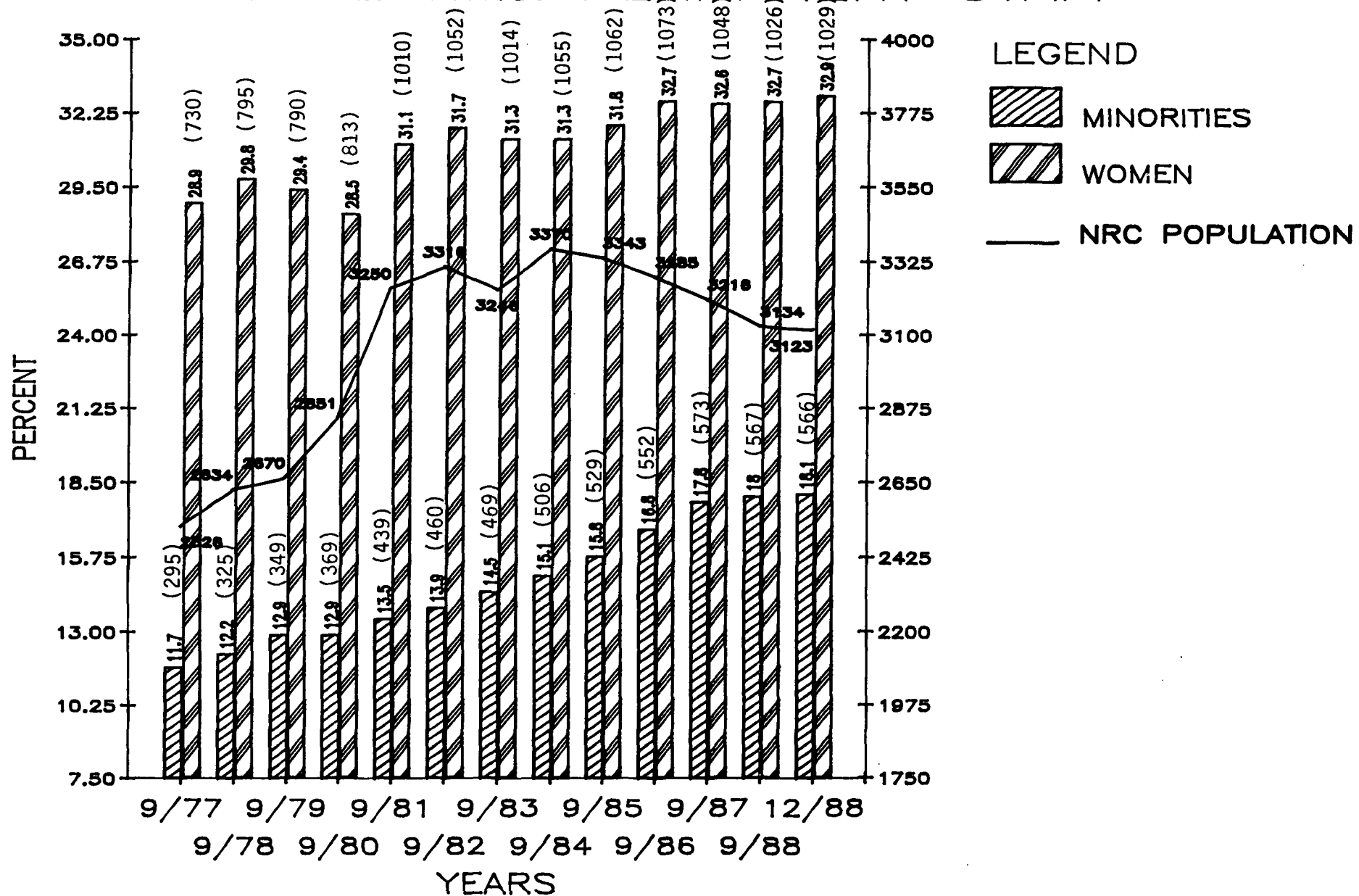
EEO Advisory Committees

- ° EEO-Labor/Management Advisory Committee
- ° Affirmative Action Advisory Committee
- ° NRC Chapter of Blacks In Government
- ° Committee on Age Discrimination
- ° Federal Women's Program Advisory Committee

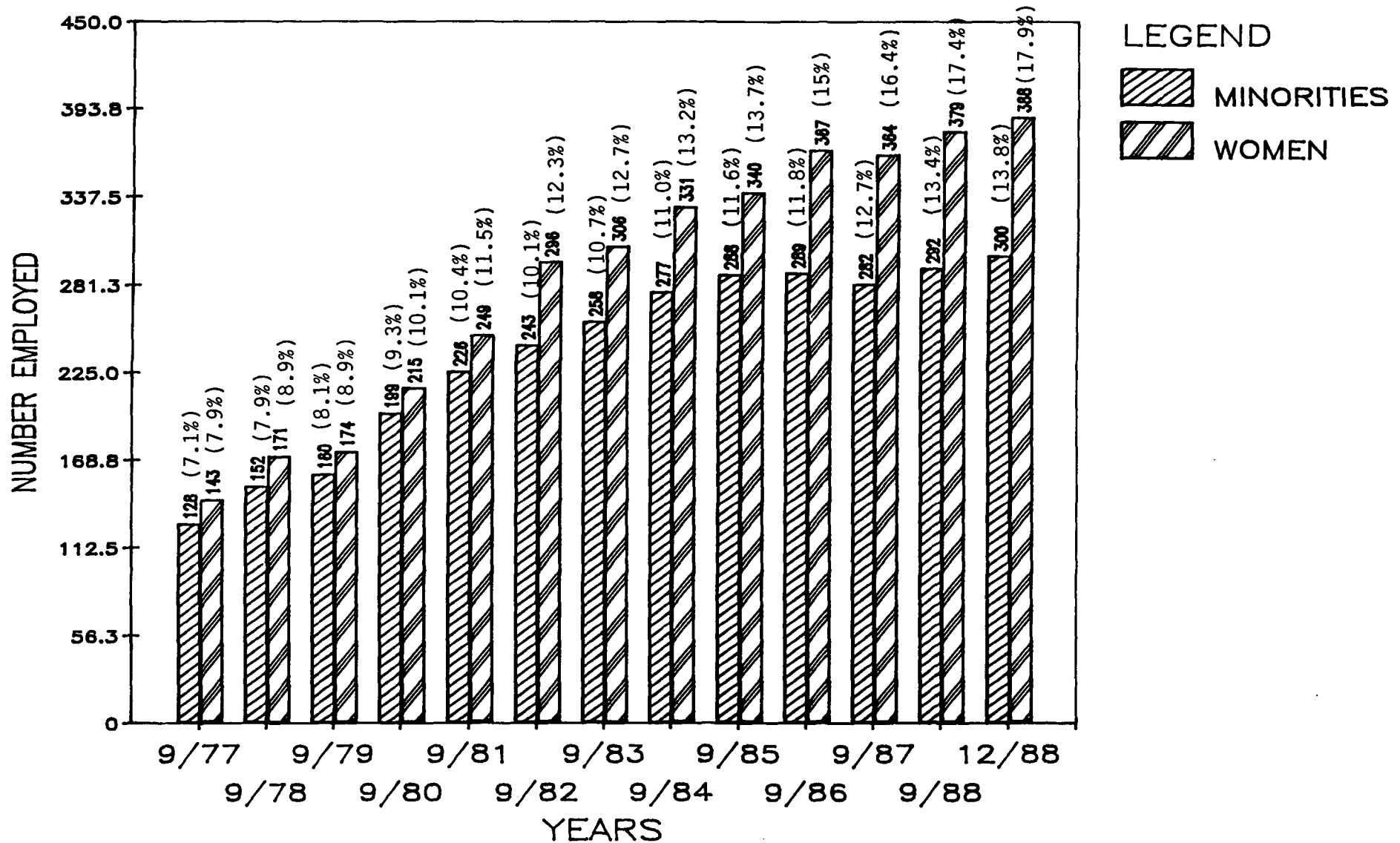
Z. Rosztoczy
R. Tripathi
S. Pettijohn
R. Clark
K. Black

EQUAL EMPLOYMENT OPPORTUNITY
INDICATORS

PERCENT OF MINORITIES & WOMEN FULL TIME PERMANENT STAFF

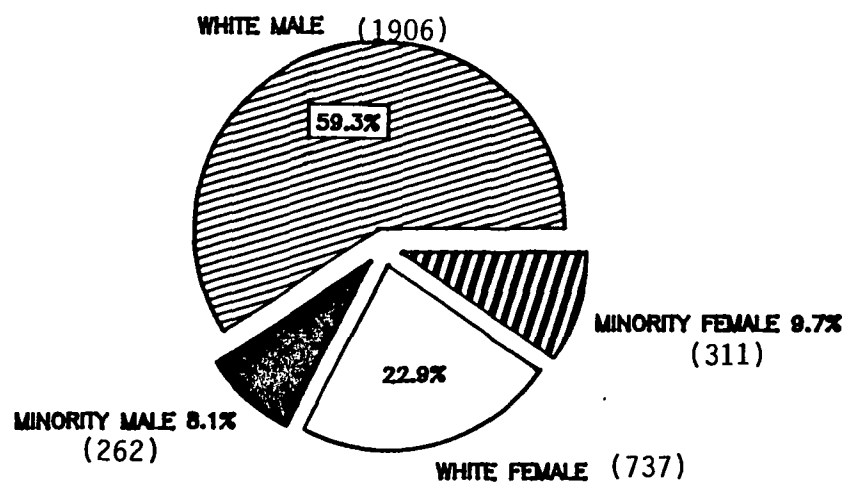


NUMBER OF MINORITIES & WOMEN GG-11 AND ABOVE FULL TIME PERMANENT

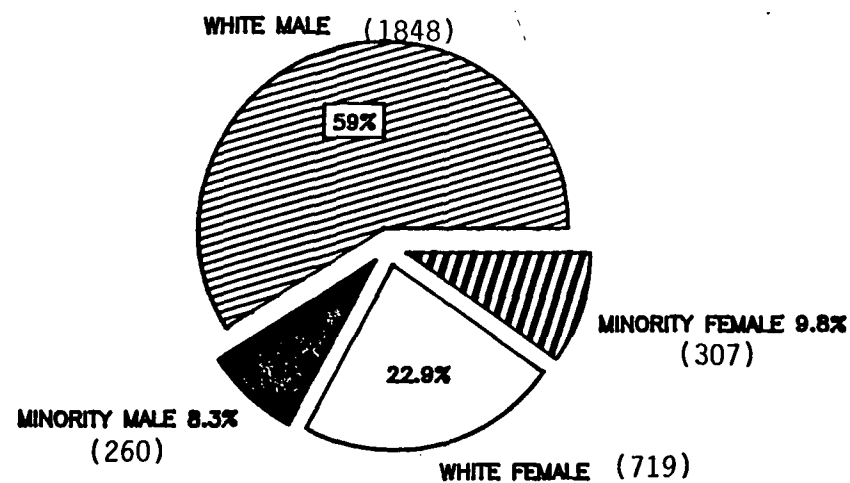


POPULATION (PFT) OF THE NUCLEAR REGULATORY COMMISSION BY SEX AND MINORITY

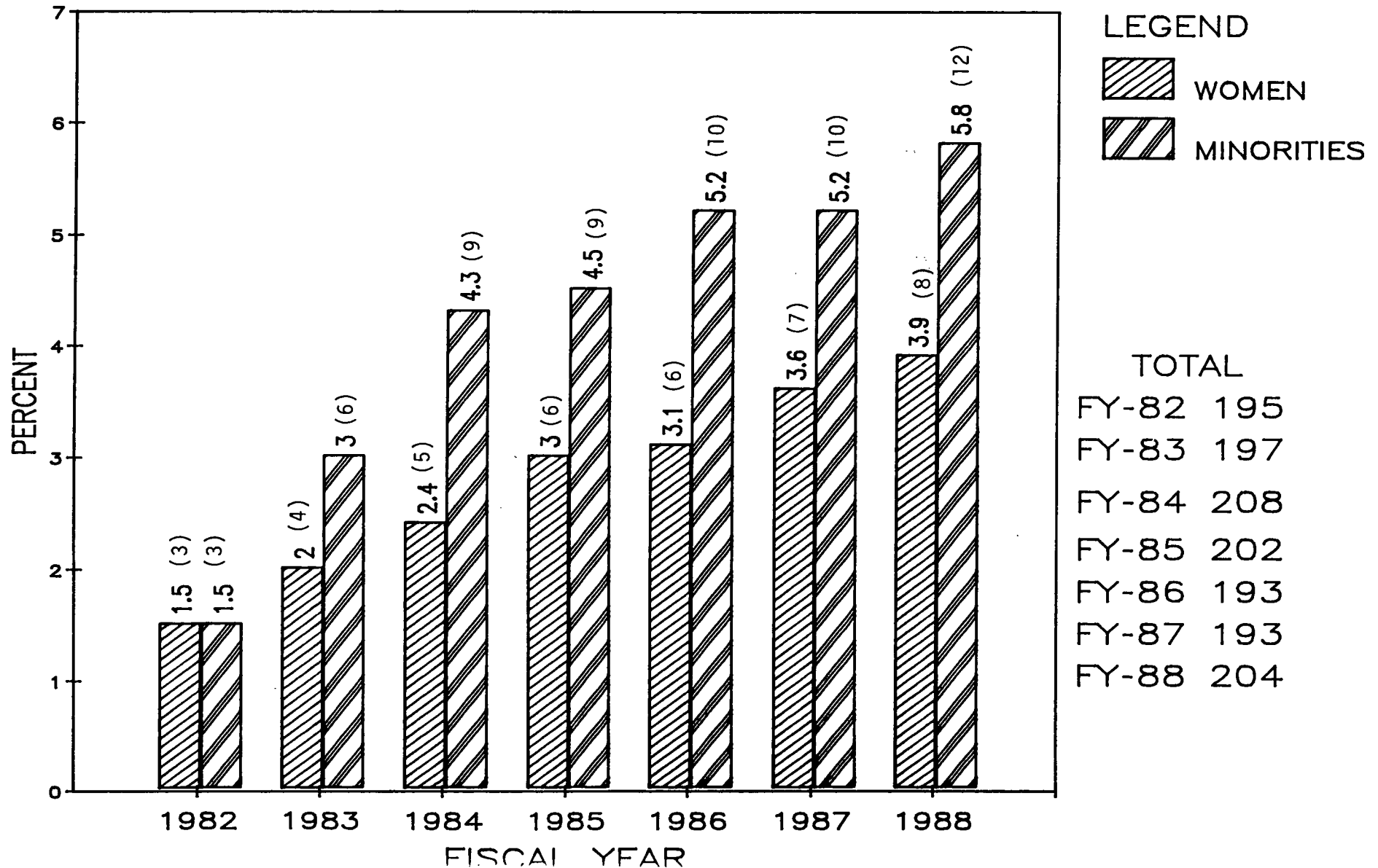
SEPT 1987



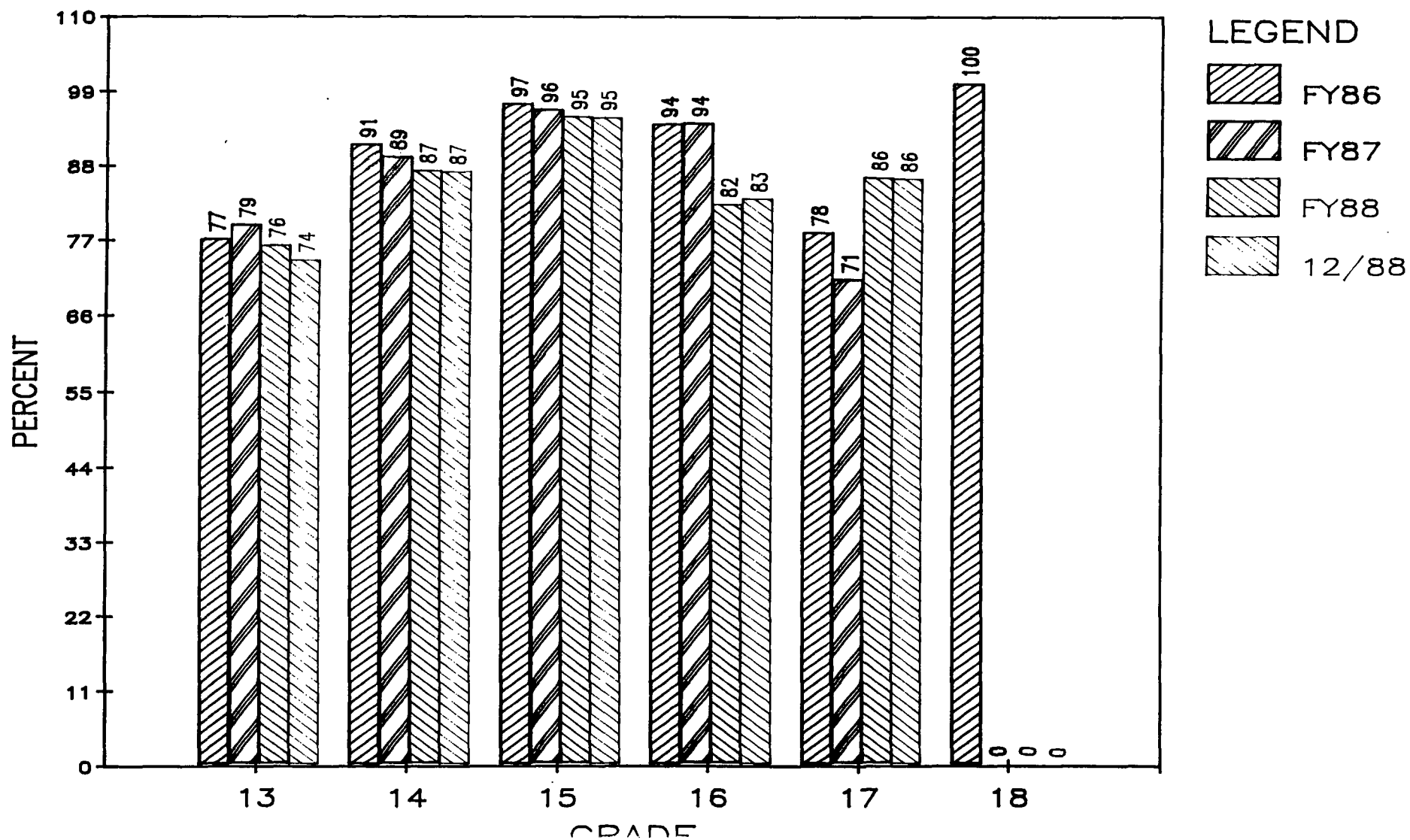
SEPT 1988



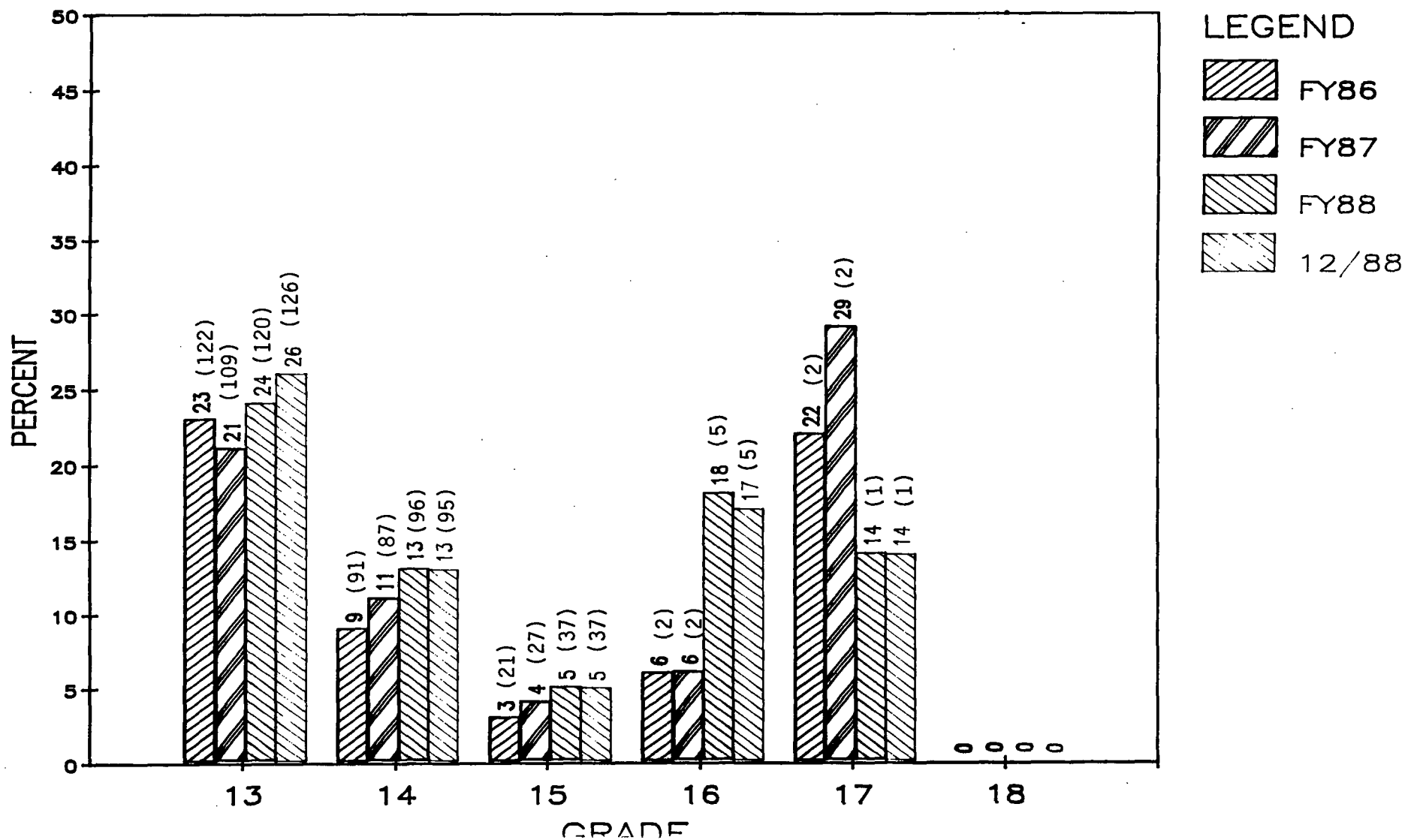
SES BY GENDER AND MINORITY STATUS AS OF THE END OF THE FISCAL YEAR



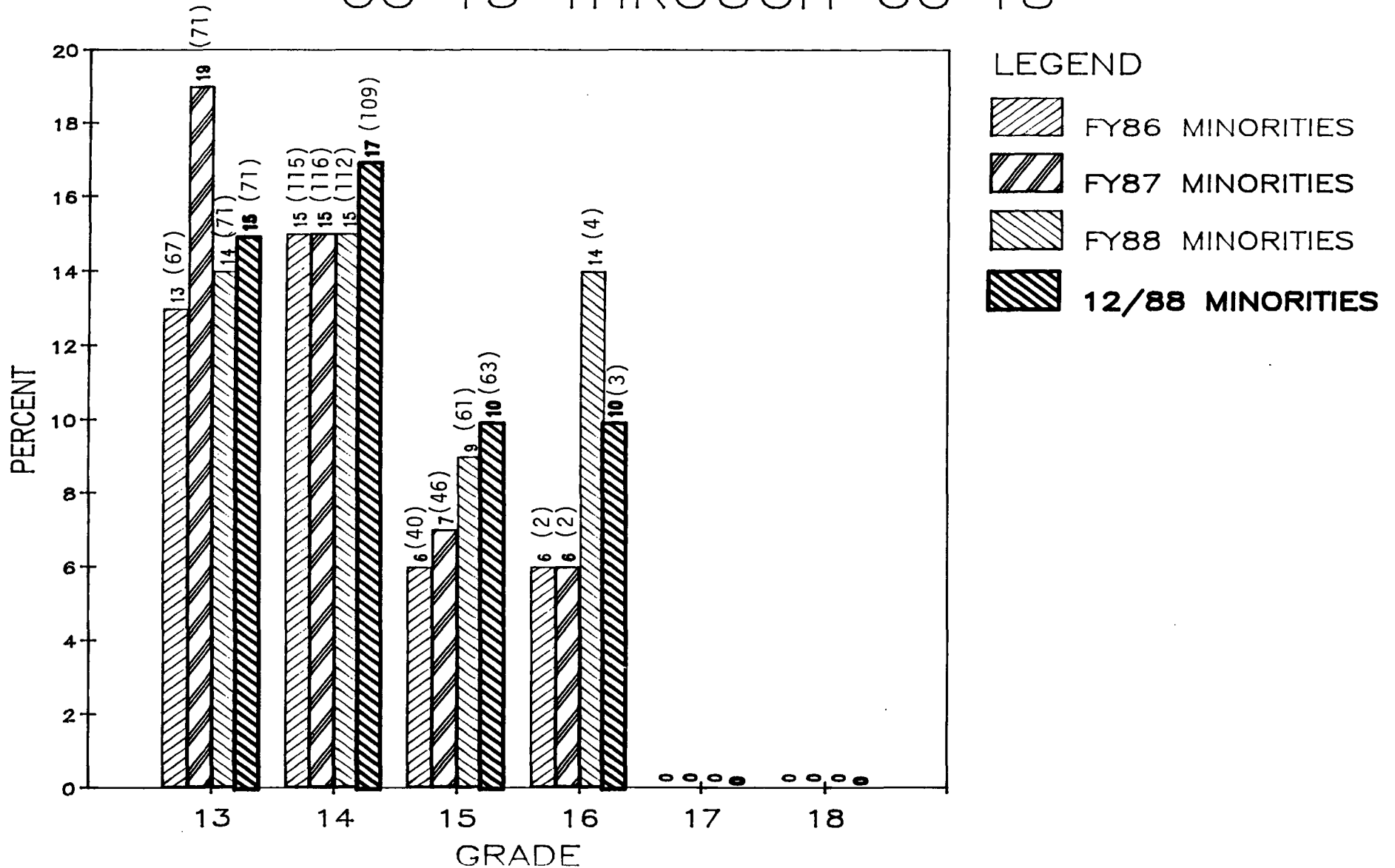
DISTRIBUTION OF MEN GRADES GG-13 THROUGH GG-18 FY 1986 THROUGH 12/17/88



DISTRIBUTION OF WOMEN
GRADES GG-13 THROUGH GG-18
FY 1986 THROUGH 12/17/88



DISTRIBUTION OF STAFF BY MINORITY FOR GRADES GG-13 THROUGH GG-18

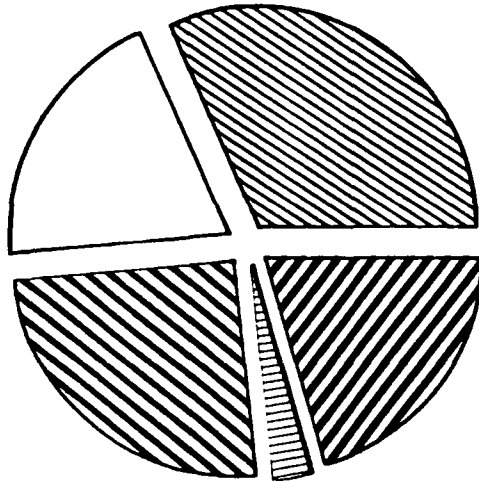
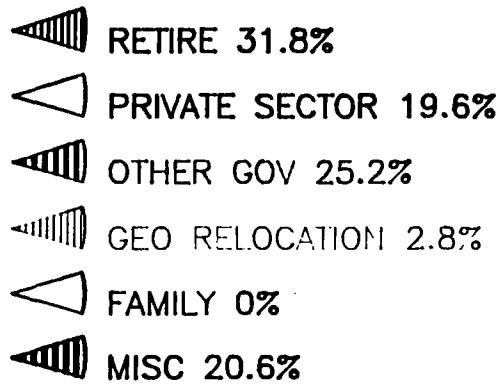


CURRENT DISCRIMINATION COMPLAINTS
BY HEADQUARTERS AND REGIONAL OFFICES
AS OF DECEMBER 31, 1988

	<u>NRR</u>	<u>OIA</u>	<u>RES</u>	<u>REGION II</u>	<u>REGION IV</u>	<u>TOTAL</u>
A. <u>Regional Office:</u>						
1. Based on sex and sex harassment				1		1
2. Based on race					1	1
3. Based on reprisal					2	2
B. <u>Headquarters:</u>						
1. Based on retaliation	1	1				2
2. Based on age	33					33
3. Based on race, color, and sex			1			1
TOTAL	34	1	1	1	3	40

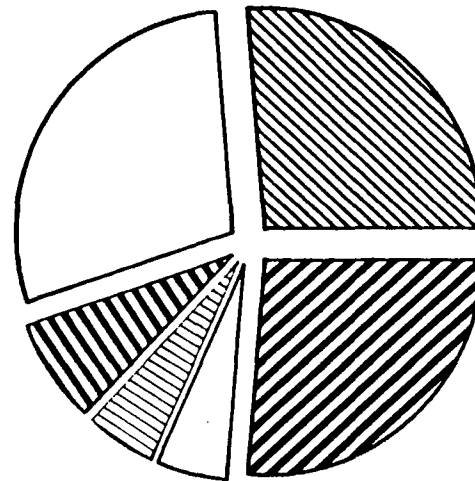
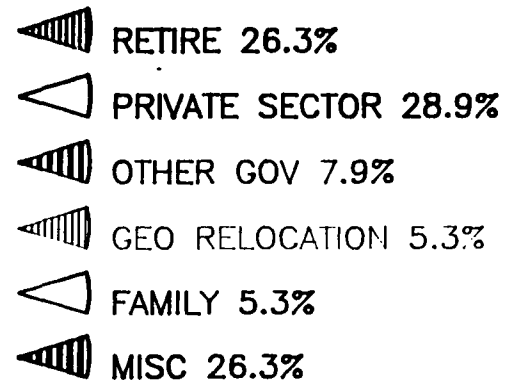
COMPARISON OF REASONS PEOPLE LEAVE THE NRC FOR GRADE GG-8 AND ABOVE

LEGEND



MEN (107) LOSS RATE (5.7%)

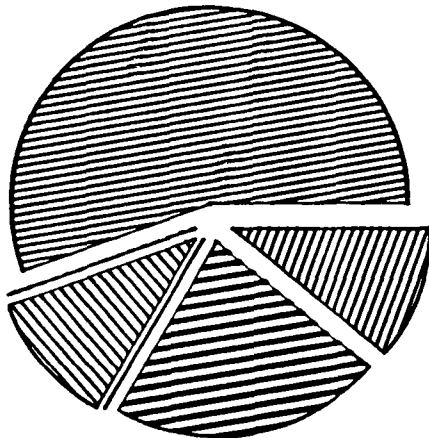
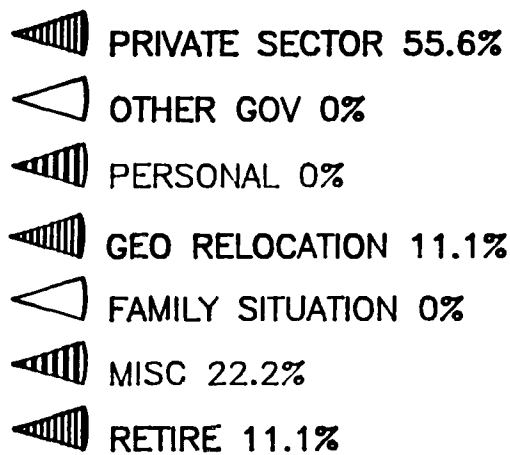
LEGEND



WOMEN (38) LOSS RATE (6.4%)

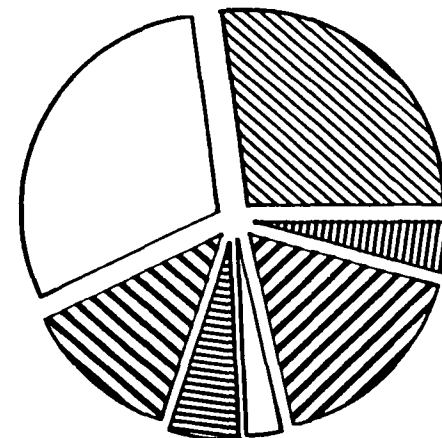
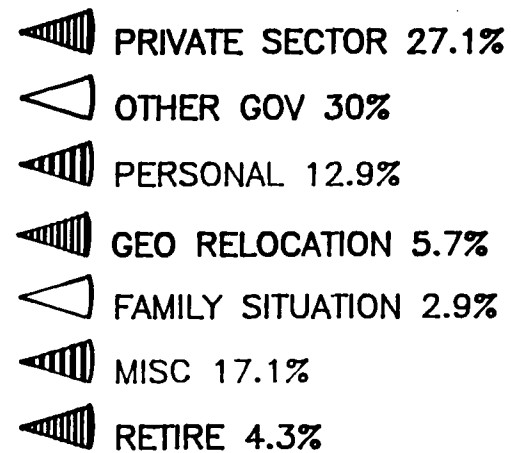
COMPARISON OF REASONS PEOPLE LEAVE THE NRC FOR GRADE GG-7 AND BELOW

LEGEND



MEN (9) LOSS RATE (14.1%)

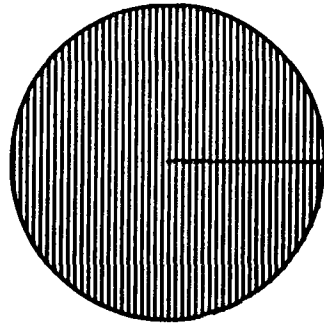
LEGEND



WOMEN (70) LOSS RATE (15.8%)

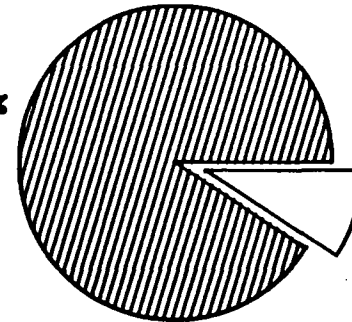
COMPARISON OF PERFORMANCE APPRAISALS FOR BLACK AND NON-BLACK SECRETARIES FOR GG9/10 FY 1987

OUTSTANDING 100%
(1)



GG-9 BLACK (1)

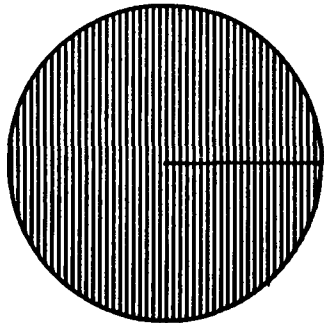
OUTSTANDING 90.9%
(10)



EXCELLENT 9.1%
(1)

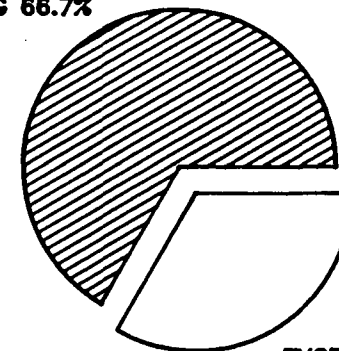
GG-9 NON-BLACK (11)

OUTSTANDING 100%
(2)



GG-10 BLACK (2)

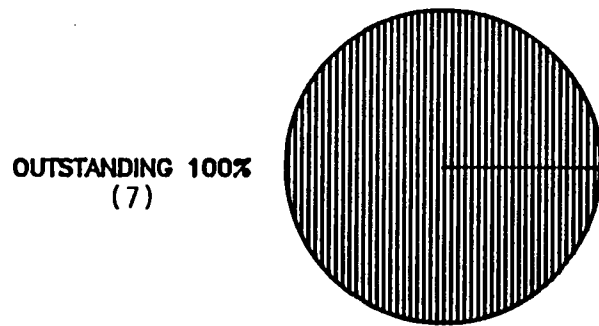
OUTSTANDING 66.7%
(6)



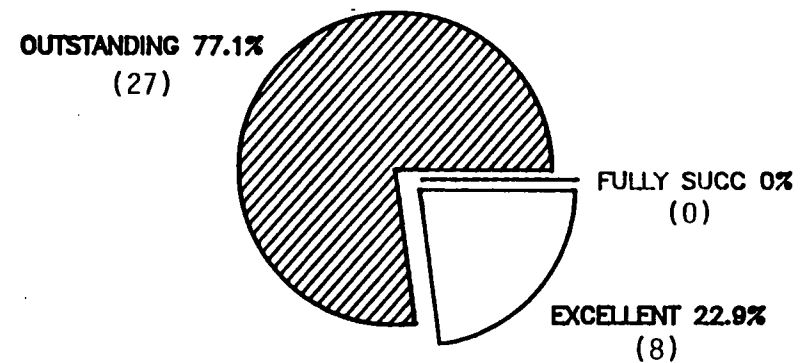
EXCELLENT 33.3%
(3)

GG-10 NON-BLACK (9)

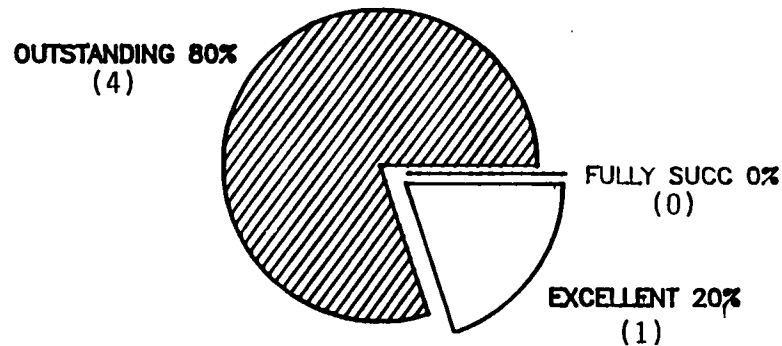
COMPARISON OF PERFORMANCE APPRAISALS FOR BLACK AND NON-BLACK SECRETARIES GG-7/8 FY 1987



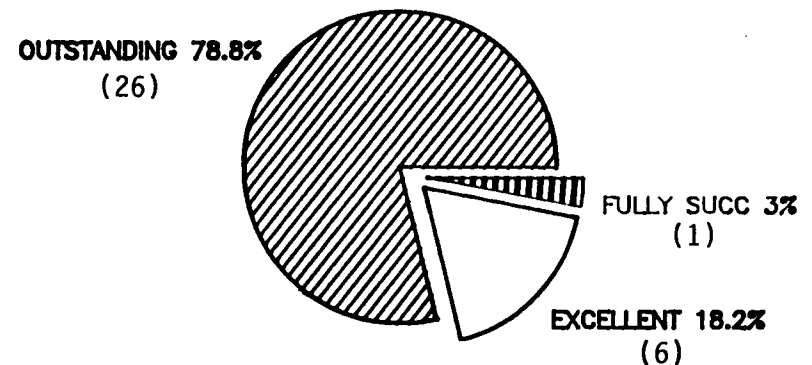
GG-7 BLACK (7)



GG-7 NON-BLACK (35)

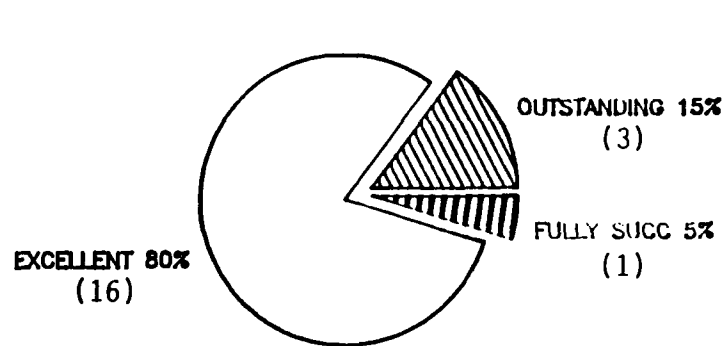


GG-8 BLACK (5)

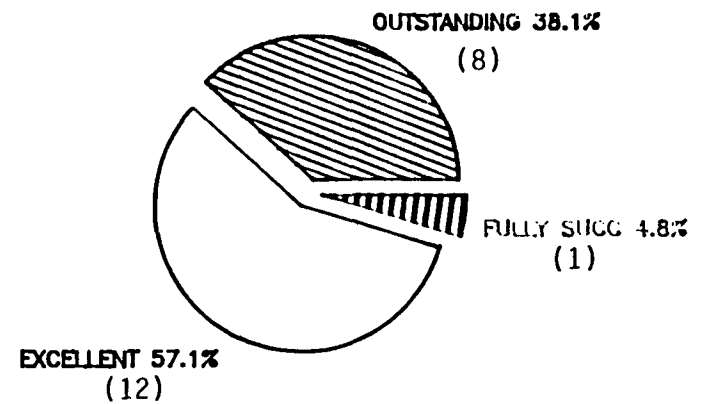


GG-8 NON-BLACK (33)

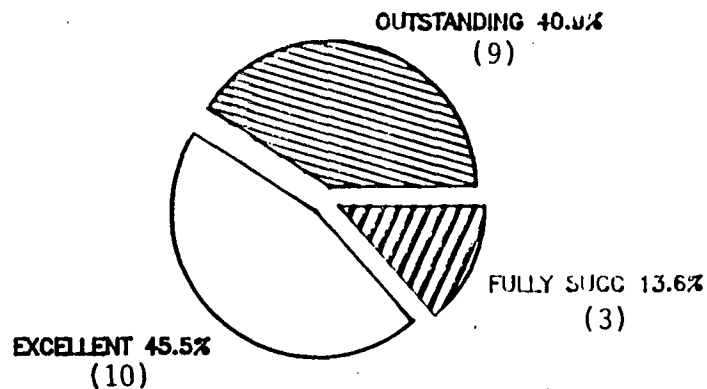
COMPARISON OF PERFORMANCE APPRAISALS FOR BLACK AND NON-BLACK SECRETARIES FOR GG5/6 FY 1987



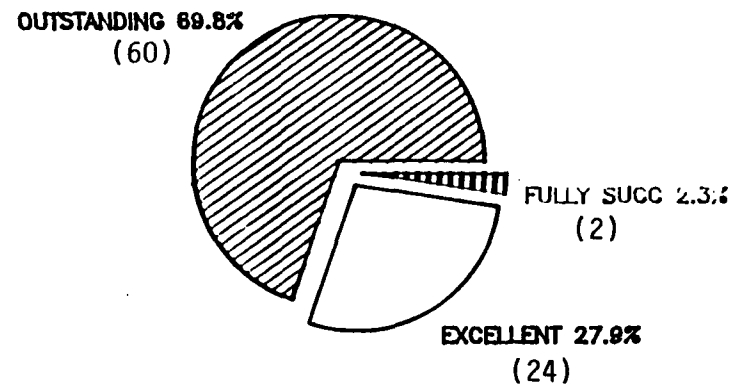
GG-5 BLACK (20)



GG-5 NON-BLACK (21)



GG-6 BLACK (22)

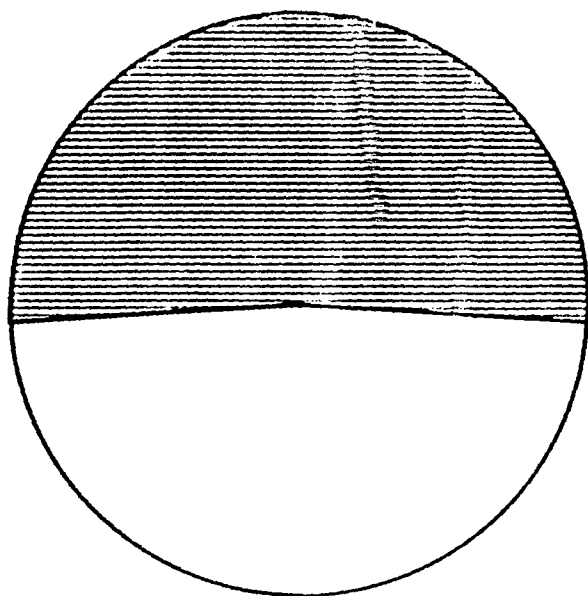


GG-6 NON-BLACK (86)

COMPARISON OF SECRETARIAL PERFORMANCE RATINGS USING LENGTH OF SERVICE

LEGEND

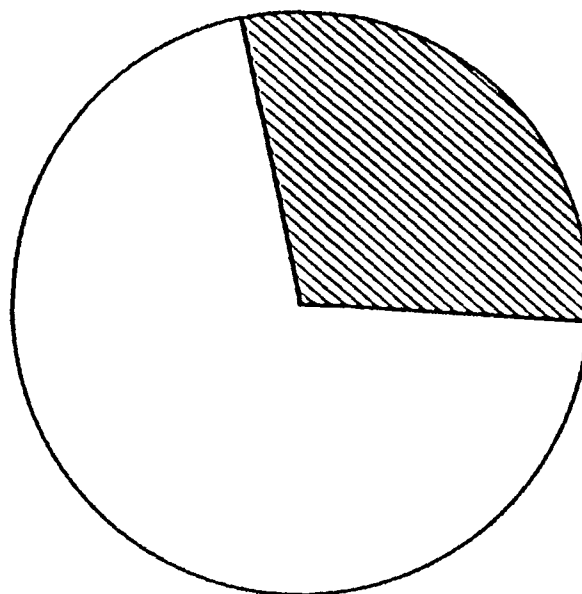
EXCELLENT 51.9%
OUTSTANDING 48.1%



3 OR LESS YEARS

LEGEND

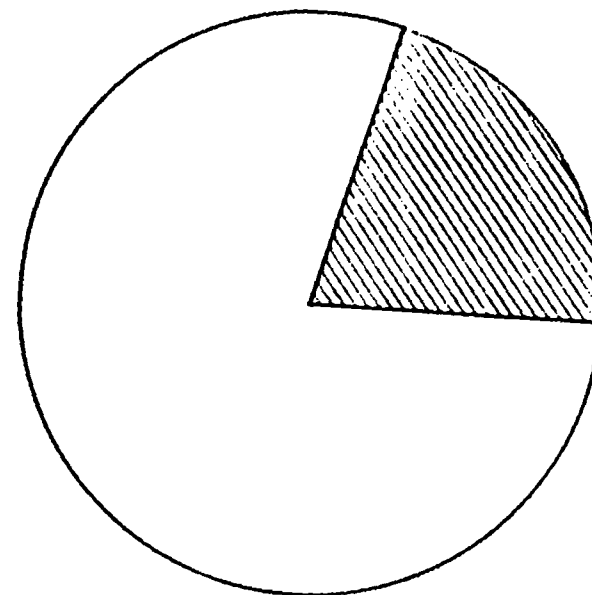
EXCELLENT 29.3%
OUTSTANDING 70.7%



4 - 7 YEARS

LEGEND

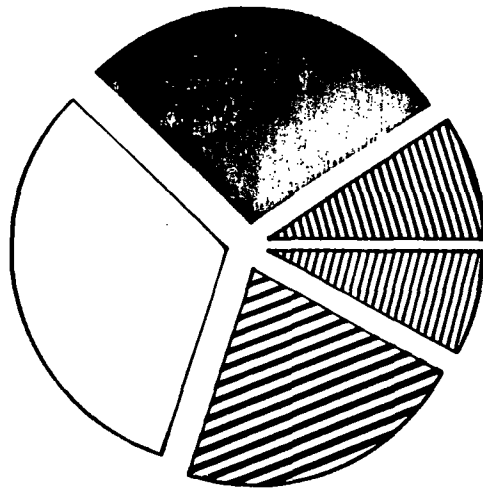
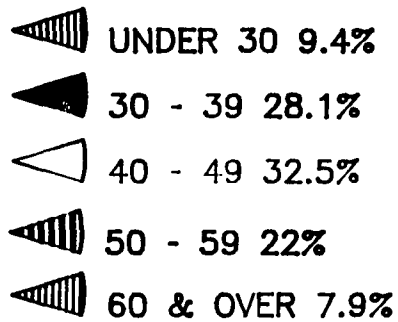
EXCELLENT 20.7%
OUTSTANDING 79.3%



8 - 12 YEARS

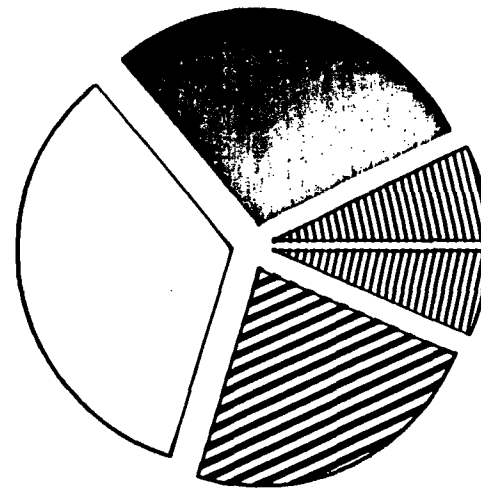
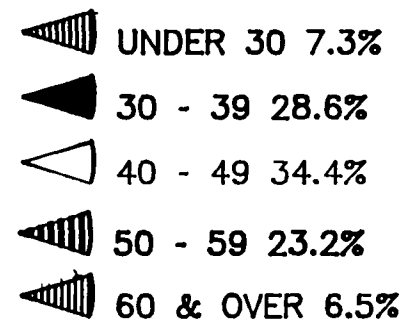
DISTRIBUTION OF STAFF BY AGE COMPARED TO THE DISTRIBUTION OF AWARDS BY AGE

LEGEND



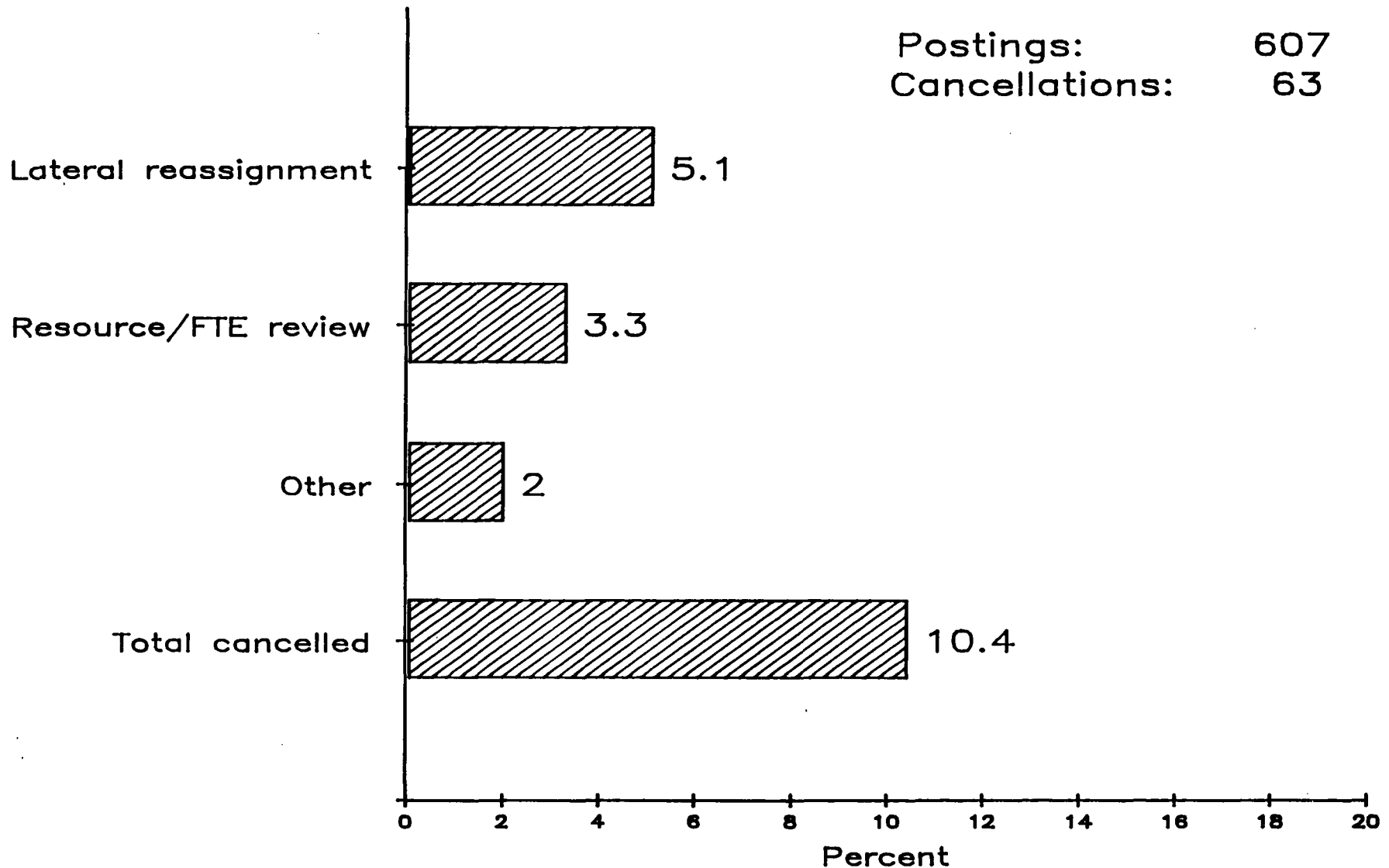
POPULATION (3134)

LEGEND



AWARDS (770)

Reasons for Vacancy Announcement Cancellations October 11, 1988 to January 3, 1989

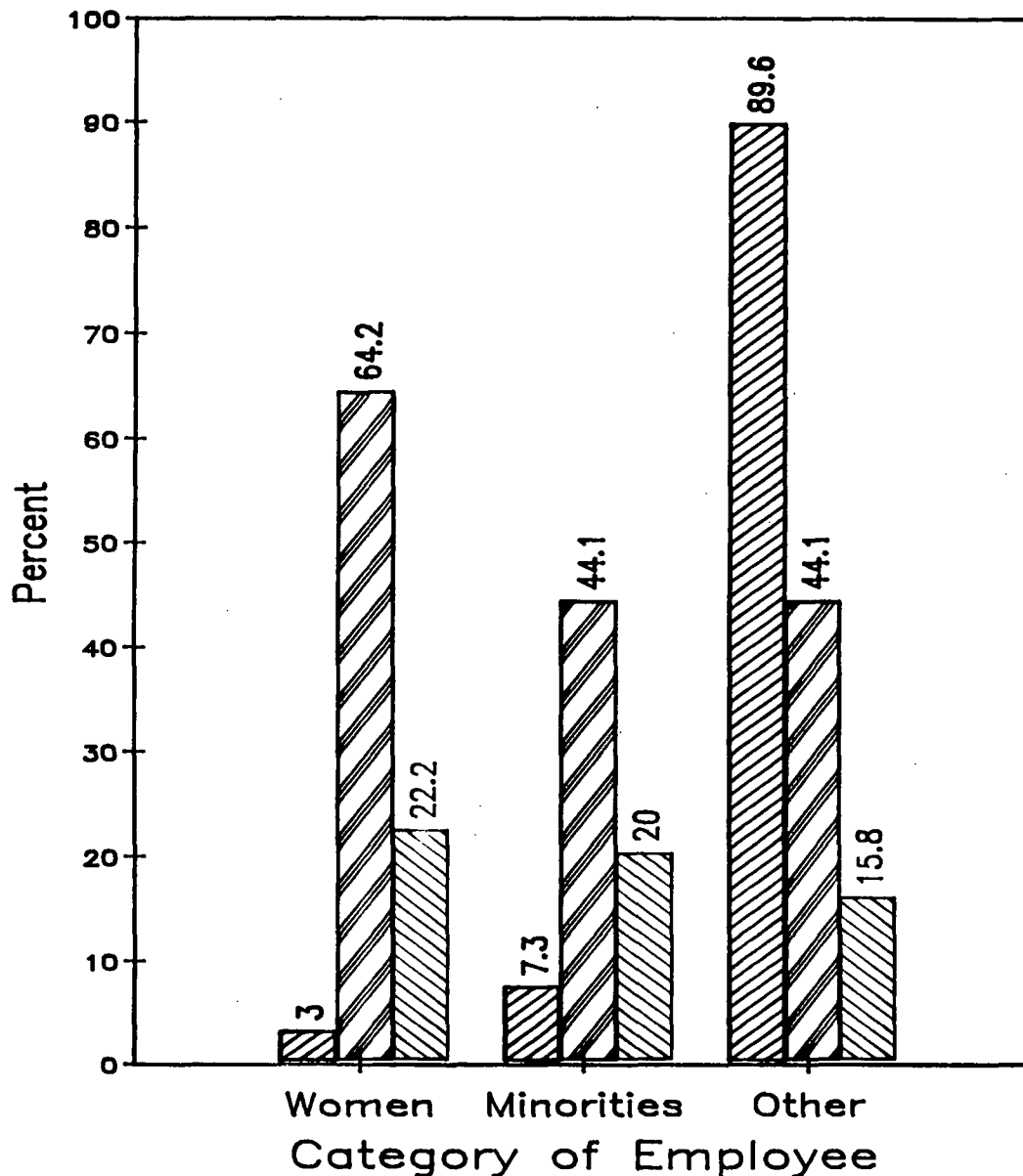


NRC TRAINING AS OF
10/01/88 THRU 11/15/88

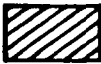


	TOTAL NRC STAFF	MINORITY	NON-MINORITY
TOTAL EMPLOYMENT (PERM. FULL TIME)	3131	567	2564
% OF TOTAL EMPLOYMENT (PFT)		18%	82%
# OF EMPLOYEES TRAINED	2444	421	2023
% OF EMPLOYEES TRAINED		17%	83%
% OF EACH GROUP RECEIVING TRAINING	78%	74%	79%
# OF INSTANCES OF TRAINING	6492	1166	5326
% OF INSTANCES OF TRAINING		18%	82%

SES Competitive Selections

April 12, 1987 to September 30, 1988



LEGEND

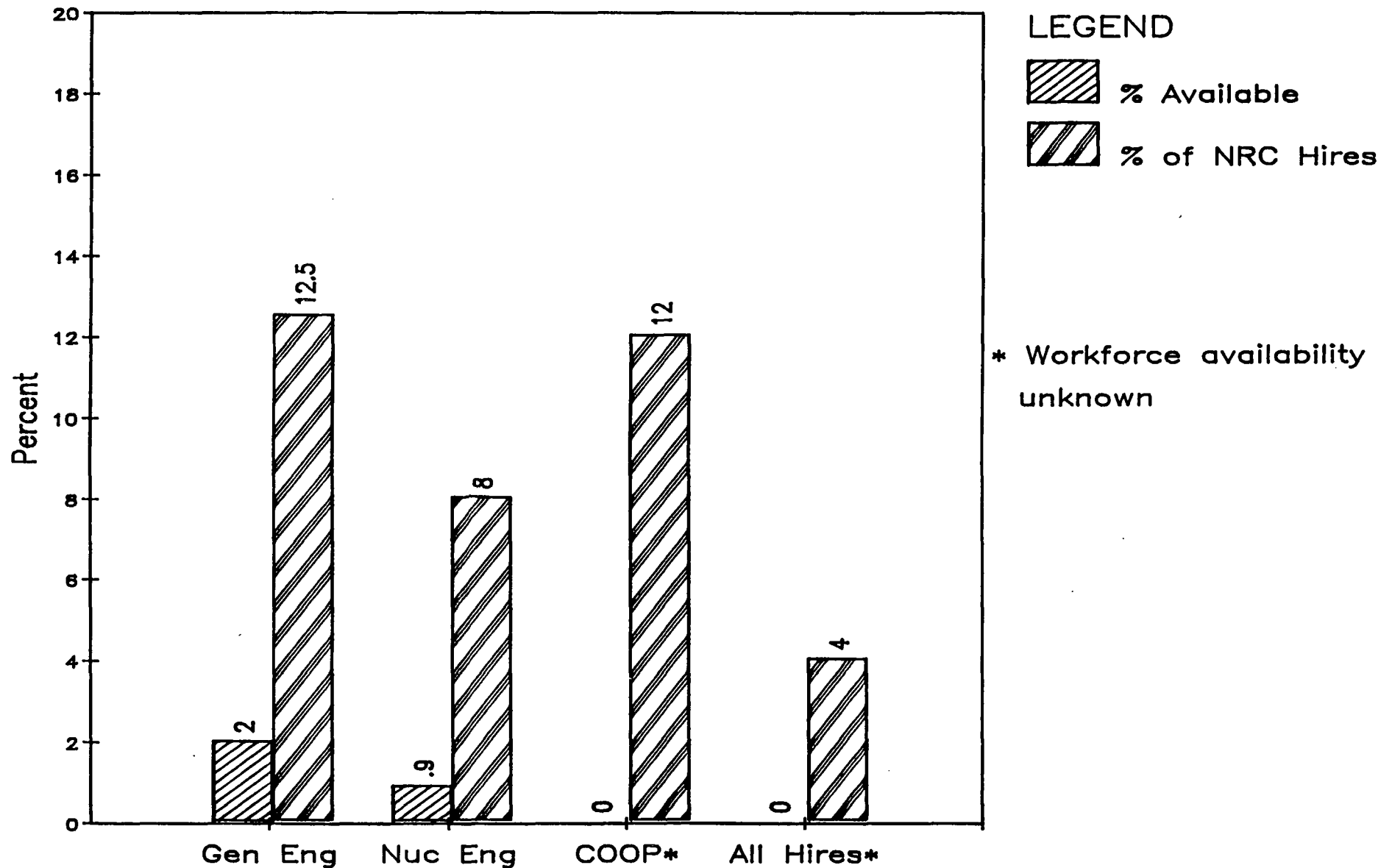
-  % of Total Applications
-  % rated Best Qualified (BQ)
-  % of BQ Selected

Age of Selectees

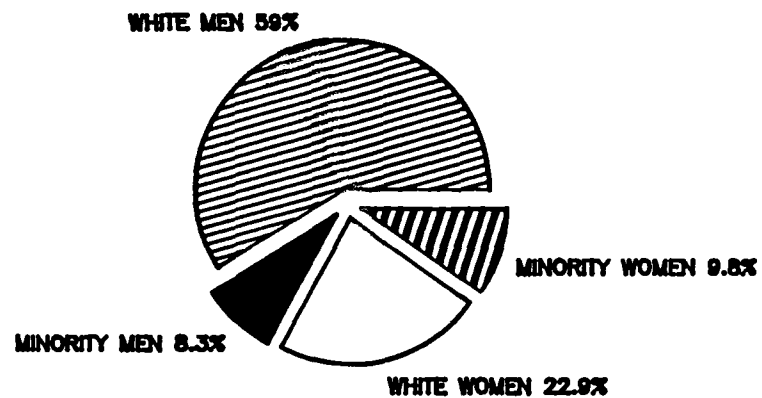
30 - 39	8 selectees
40 - 49	20 selectees
50 - 59	6 selectees

Average Age - 44

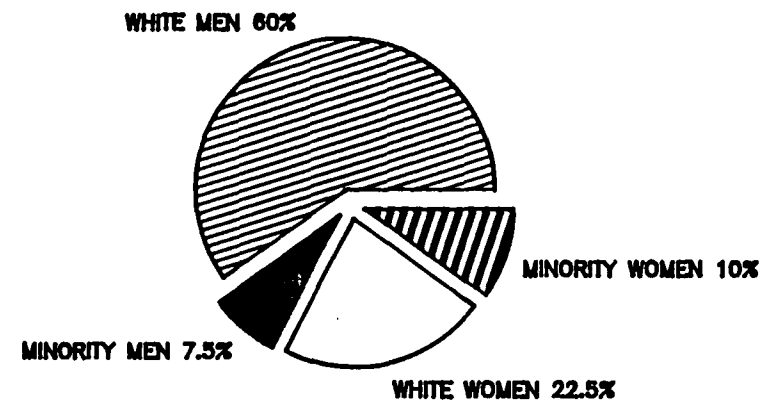
Hispanic Hiring January 1, 1988 to November 30, 1988



NRC POPULATION (PFT)
BY SEX AND MINORITY
AS OF 9-30-88



NRC ROTATIONAL ASSIGNMENTS
BY SEX AND MINORITY
10-1-88 TO 12-31-88
NON-SES



AFFIRMATIVE EMPLOYMENT PROGRAM FOR MINORITIES AND WOMEN

EEO POLICY STATEMENT

The U.S. Nuclear Regulatory Commission (NRC) is fully committed to equal employment opportunity and the implementation of a strong affirmative employment program without regard to race, sex, religion, color, national origin, age, or handicap. It is the policy of the NRC to provide equal opportunity in employment for all persons in its work force or being recruited for its work force and to prohibit discrimination in all aspects of its personnel policies, program practices and operations, and in all its working conditions and relationships with employees and applicants for employment. I strongly promote the full realization of equal opportunity in employment through continuing programs of affirmative employment at every management level within the agency. The NRC subscribes to and implements to the fullest the requirements of Title VII of the Civil Rights Act of 1964, as amended; Executive Order 11478, as amended; Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1962, as amended; and the Vocational Rehabilitation Act of 1973, as amended.

The multi-year Affirmative Employment Plan will assist the agency in fulfilling its mission by having all of its employees contribute to our objectives. We will continue to develop a strong chain of communication and coordination among all levels of management in order to reach and achieve the objectives of our AEP. To this end, all managers and supervisors are expected to take an active, ongoing part in promoting and implementing the Plan, and to dedicate themselves to the policy of meeting their EEO responsibilities in a manner that yields results. If all levels of supervision undertake the responsibility of affirmative employment with the same leadership and zeal as other organizational responsibilities, the result will be a continuing system of equal opportunity as required by law.

I expect full support from each manager and supervisor in meeting the objectives of this program. Periodic evaluations will be made

AFFIRMATIVE EMPLOYMENT PROGRAM FOR MINORITIES AND WOMEN

EEO POLICY STATEMENT

EEO POLICY STATEMENT - PAGE 2

to measure program accomplishments, and where imbalances or lack of progress are evident, necessary measures will be taken to remedy the problem.

Lando W. Zech Jr. 11-3-88
SIGNATURE OF AGENCY HEAD DATE

Lando W. Zech, Jr., Chairman
NAME AND TITLE OF AGENCY HEAD

AUG 12 1988

MEMORANDUM FOR: Office Directors and Regional Administrators

FROM: W. B. Kerr, Director
Office of Small and Disadvantaged Business Utilization and
Civil Rights

SUBJECT: EEO COUNSELORS

The agency EEO Counselors play an important and vital role in assisting to resolve matters that could result in formal complaints of discrimination.

These individuals serve in this capacity on a voluntary basis and are appointed by the Director, OSDBU/CR. They do not represent the management of the agency or employees that consult with them for assistance in the informal resolution of perceived problems. Their role is to act as mediators to assist all parties. Managers should be cognizant of this role and cooperate to the extent possible when interacting with EEO Counselors.

In addition to complaint resolution, I would urge addressees to utilize counselors to the maximum extent possible for consultation to maintain awareness of perceptions of employees.

I would appreciate your ensuring that your staff is fully aware of the EEO Counselors role and responsibilities.

Original signed by
W. B. Kerr

W. B. Kerr, Director
Office of Small and Disadvantaged
Business Utilization and Civil Rights

cc: V. Stello

COMMENTS OF THE LABOR/MANAGEMENT EEO ADVISORY COMMITTEE

SEMI-ANNUAL EEO COMMISSION BRIEFING

February 2, 1989

Mr. Chairman and Commissioners, I am Zoltan Rosztoczy. On behalf of the Labor/Management EEO Advisory Committee (LM/EAC), I appreciate the opportunity to share with you the Committee's views, concerns and plans related to some EEO issues at the agency.

Our Committee has been recently reorganized. For this fiscal year, LM/EAC has eight members -- four members appointed by the bargaining unit and four appointed by management. The Committee has begun meeting monthly and working in a cooperative spirit as intended by its charter.

Some of the issues of interest to our Committee are: employee suggestion survey; feasibility of introducing a dual-track career at the NRC; performance appraisals of nonsupervisory staff; possible implementation of bumping and retreat rights in the event of a reduction in force (RIF); and training and rotational assignments. These items are discussed further:

- In September, we commented on the draft employee suggestion survey and later discussed with the Office of Personnel our comments. We understand that the survey has been distributed to a randomly selected representative group of employees. We would like to request that the data obtained from the survey be made available to us for our independent assessment.
- We understand that the Office of Personnel is in the process of evaluating alternative approaches to compensation (dual-track career paths, pay bands, special locality pay, etc.). We would appreciate the opportunity to review the EEO aspects of the implementation plans of any approach chosen.
- We understand that the Committee on Age Discrimination (CAD) and the Office of Personnel are jointly evaluating potential impact of a RIF and the issue of bumping and retreat rights. We regard this as an important activity. We will work with CAD, and will provide our insights to assure that all EEO issues are addressed as part of the study.
- We are concerned about the results of studies by the Affirmative Action Advisory Committee (AAAC) and CAD which suggest that in certain jobs, there exists a disparity in the performance appraisals of black employees as compared to their white counterparts; and that agency-wide there is also a disparity between the performance appraisals of all nonsupervisory staff above a certain age group as compared to the younger staff members. Our committee intends to study the data from the AAAC and CAD studies to identify reasons for the disparity in performance appraisals. We will report on our investigation at a future Commission briefing.

- With respect to administrative skills training, the Office of Small and Disadvantaged Business Utilization and Civil Rights continues to identify a high rate of "no-shows" in administrative skills training classes. We would like to work with the Office of Personnel on a survey of those who signed up for but did not attend these training classes to determine why administrative staff is not attending. Administrative skills training is an important part of the EEO program plan. Its success could contribute significantly to the training of minorities and women within the agency.
- We plan to study the implementation of rotational assignment program to determine the effectiveness of this program from EEO perspectives. We will report our assessment to the Commission at a future briefing.

As my comments indicate, the LM/EAC is following the formulation and implementation of various agency programs from our EEO perspective. We do not have the means to undertake major activities, instead we depend on surveys and studies conducted by others. We intend to work closely with other committees involved in various forms of discrimination to avoid redundancy of efforts and to arrive at constructive recommendations characterized by fairness and equal opportunity.

This concludes my presentation. I will be glad to answer any questions that you might have.

**EEO COMMISSION BRIEFING
FEBRUARY 2, 1989**

**Raji Tripathi, Chairperson
AFFIRMATIVE ADVISORY COMMITTEE**

Mr. Chairman and Commissioners, AAAC appreciates this opportunity to meet with you to share our views regarding current Equal Employment Opportunity (EEO) and Affirmative Action (AA) issues at the NRC.

In the last few months we have had an opportunity to further address some of the issues discussed during the last EEO Commission briefing and also to identify additional ones. These include the NRC Employee Suggestion Survey; the disparity in performance appraisal ratings between black and white employees in certain job categories; the disparity in performance appraisal ratings between employees in different age groups; the feasibility of implementing dual-track career paths at the NRC; the schedule for the mock reduction in force (RIF) study and the related issue of bumping and retreat rights; the hiring of outside individuals by NRC; and the need for a formal rotational assignments policy.

The AAAC has collaborated with other EEO committees on some of these issues to more effectively use our resources and to ensure that each issue is adequately addressed. For example, we have been working cooperatively with the Committee on Age Discrimination (CAD) on the mock RIF study and the disparity in performance appraisal ratings between employees in different age groups. We have also kept abreast of the NRC Chapter of Blacks In Government (BIG) activities regarding minority recruitment and retention, and the Federal Women's Program Advisory Committee (FWPAC) position on the implementation of a formal rotational assignments policy.

The first issue we would like to discuss is the NRC Employee Suggestion Survey. During the July Commission briefing, the AAAC and other EEO Committees expressed our views regarding the need for an employee survey. Several weeks later the EEO committees were provided a draft Employee Suggestion Survey. In the opinion of the AAAC, this

survey would provide a summary of NRC employee concerns, but would not provide sufficient information as to the root causes of these concerns, or suggest potential remedies to resolve them. We provided the Office of Personnel (OP) our views and suggestions on the draft survey. A revised version of the survey, which considered some AAAC comments, was issued to a representative group of NRC employees on December 30, 1988. The issuance of the survey is a positive step in gathering information about employee concerns and opinions; however, there is still a need for a more comprehensive study that includes interviews with randomly selected employees. Nonetheless, we look forward to the results of the current survey.

In November, 1987, the AAAC had indicated to the Commission the apparent disparity between performance appraisal ratings of blacks and whites in certain job categories. Former Commissioner Bernthal had suggested that we look at on-the-job-training and the time-in-grade of these employees in order to make a more meaningful comparison. We gave this request due consideration and recognized its validity; however, we believe that we do not have the complete data or resources to undertake such a task and requested that the Office of Personnel undertake this study. The AAAC and the BIG are currently waiting for a formal response as to the direction or results of such a study by OP.

For 1987, the AAAC has also noted disparities between performance ratings of employees in different age categories. Our results, although not as extensive, are similar to those obtained by the CAD. We believe that the CAD and AAAC results highlight the need to identify the causes of these disparities and ways to resolve them. We note that the Staff Requirements Memorandum issued in response to the July EEO briefing requests that the staff look at this issue in more detail.

The AAAC supports the NRC's efforts to explore the feasibility of implementing a dual-track-career ladder for professional staff members as outlined in the NRC Five Year Plan. We believe that a dual-track career ladder system would provide growth opportunities for the current NRC staff, attract a wider cross-section of EEO classes, attract highly qualified minorities in non-technical fields, and provide equitable career growth opportunities for all employees. Dual-track career paths have proven successful at other government agencies, such as NASA, and it is expected that they would prove equally successful at the NRC.

The AAAC has been monitoring the mock RIF study and the issue of bumping and retreat rights. We have met with CAD and OP on several occasions to discuss the progress of the study. The AAAC recognizes that a RIF is not being considered at present; however, in a time of budget constraints it is important to understand its impact if such an action had to be taken in the future. Therefore, the AAAC recommends that a schedule be proposed by OP outlining major anticipated milestones and a tentative date when the results of the mock RIF will be available.

The AAAC has requested information from the Office of Personnel regarding the hiring of outside individuals by the NRC. We are interested in looking at these employment practices and analyzing how they affect current employees, such as their promotion potential. The AAAC will provide the Commission with our assessment on this matter at a later date.

The last item that we wish to discuss today is rotational assignments. During the last briefing, we commented that we welcomed the question and answer pamphlet regarding rotational assignments that was distributed to all employees in July, 1988. We are pleased to see that employees were being made aware of rotational assignments. The program has proven very successful in some offices and individuals currently in rotational assignments have found the opportunity quite rewarding. However, NRC staff members have also commented

that some managers have discouraged employees from seeking rotational assignments. We recommend that management more actively support the rotational assignments program and possibly develop an NRC Manual Chapter outlining a formal policy; that such a policy document should be distributed to all NRC employees; and that managers should be required to support this policy by encouraging their staff to participate in rotational assignments whenever possible. We believe that a formal policy and its proper implementation would not only benefit minorities, but the entire NRC staff. We plan to request OP data on employees who have participated in or are currently participating in rotational assignments to assess the equity and success of this program.

In closing, I would like to mention that the AAAC recognizes its responsibilities as an advisory group. Although our resources are few, we hope that our efforts constructively assist the NRC in meeting its EEO/AA goals.

BRIEFING ON EEO PROGRAM TO
U.S. NUCLEAR REGULATORY COMMISSION
BY
COMMITTEE ON AGE DISCRIMINATION

FEBRUARY 2, 1989

About ten years ago, the Committee on Age Discrimination was established to advise the EDO on matters related to age discrimination and to make recommendations to help ensure that age is not a factor in job selection, career development, promotions, training, and other employee related matters. The Committee has been evaluating non-SES performance appraisal ratings since 1982. As we have advised management in a number of reports, there is strong statistical evidence of age discrimination with respect to performance appraisals for non-supervisory engineers and scientists at NRC. The statistical imbalances are particularly pronounced for engineers over 50.

Performance appraisal ratings play a major role in general career development at NRC. Any discrimination in the appraisal process can be come manifest in the broader range of individual career development, thereby influencing promotions, training, and other advancement opportunities. Performance ratings are also a factor considered during Reduction in Force.

On July 15, 1988, a memo was sent from Paul Bird, Director, Office of Personnel, to William Kerr, forwarding a report on the FY87 performance appraisals. On page 5 of that report it is stated that, "These data failed to detect any significant differences between the age groups" (i.e., over 40 years, under 40). The Bird report goes on to state that, "Thus age does not seem to be a factor in assigning ratings." Our committee strongly disagrees.

The analysis presented failed to detect strong statistical evidence of possible age discrimination in performance appraisal data for non-supervisory engineers and scientists over 50.

On August 29, 1988, I sent a memo to Mr. Kerr, transmitting our review of the Bird report, together with a number of recommendations for action. Among these recommendations was a suggestion that our findings be distributed to all supervisory and management staff prior to the end of the 1988 rating period. To this date we have reviewed no response to this memo, nor to the best of my knowledge, have any of our recommendations been acted on.

The Committee on Age Discrimination does not understand why NRC's most experienced staff scientists and engineers receive the lowest average appraisal ratings. This is NRC's most experienced group of professionals dealing with the health and safety issues concerning the nation's civilian nuclear reactors.

For a number of years, this committee has been advising NRC management that there is strong statistical evidence of age discrimination with respect to performance appraisal ratings for non-SES engineers and scientists. Any actions that may have been taken have not been effective in correcting this long-standing possible violation of the Age Discrimination in Employment Act and Title VII of the Civil Rights Act. At the July 6, 1988 briefing, the Commission questioned the reasons for the high number of age discrimination complaints within NRR. I submit that one possible explanation is that there is

a long-standing pattern and practice of age discrimination with respect to promotions in certain occupational codes in NRR.

I would also like to take this opportunity to express the Committee's appreciation to the Office of Personnel for their assistance over the years in providing data to us, for the many hours Mr. Bird and his staff have met with us on a number of initiatives and for the general support and cooperation we have received from everyone in the Office of Personnel. We look forward to continuing to work with the Office of Personnel to resolve these matters.

FEDERAL WOMEN'S PROGRAM ADVISORY COMMITTEE
REPORT TO THE COMMISSION
February 1989

The Federal Women's Program Advisory Committee continues to have concerns at NRC relating to equal employment opportunities for women. We note that some small progress has been observed since our July 1988 report to you in terms of women in SES positions. We continue to believe that NRC must aggressively seek to improve its representation of women in management and hope that there will be still more female members of the SES at NRC at our next meeting with you.

Based on the current five-year plan, the NRC faces a stable personnel ceiling over the next several years, , that is, there will be little growth in the number of personnel. With an historically low attrition rate, NRC will have few opportunities for upward movement of female employees unless all levels of management are dedicated to programs to facilitate such upward movement.

FWPAC has submitted a proposal to personnel to establish a program, one we have called Upward Bound, that would:

- identify positions that could be filled by non-degreed personnel with some amount of specialized training

- identify the specialized training that could qualify personnel for the positions

- try the program

FWPAC notes that the Job Analysis and Restructuring item of the Multi-year Consolidated EEO Program Plan calls for advertising positions using multi-disciplinary occupations to broaden the availability pool, accepting, when possible, related academic degrees instead of specific degrees. To augment the Upward Bound proposal, FWPAC has asked personnel to review all vacancies to determine whether some positions for which a degree is required could be filled by non-degreed people.

FWPAC's request to review the degree requirements for vacant positions represents an extension of the Job Restructuring item in the EEO Program Plan.

If NRC can establish the Upward Bound Program, as well as undertaking the review of vacancies that FWPAC has suggested, greater opportunities would be available for our current non-degreed employees, many of whom are women.

NRC CHAPTER OF BLACKS IN GOVERNMENT STATEMENT FOR THE FEBRUARY 2, 1989
COMMISSION BRIEFING ON EQUAL OPPORTUNITY EMPLOYMENT AT NRC.

Mr Chairman, Commissioners, my name is Sam Pettijohn and I am here to represent the views of the NRC Chapter of Blacks In Government. Blacks in Government is a national organization concerned with the cultural and professional development of blacks employed by federal state and local government organizations. The national organization is comprised of local chapters such as ours here at NRC, which subscribe to and support the efforts of the national organization but also concern themselves with issues that affect blacks at a more local level. Our NRC Chapter for example, serves as an EEO advisory committee to the Commission and NRC senior management. In doing so, we attempt to represent the views of our membership in particular and the views of all black employees at NRC in general, on issues that affect them.

I would first like to express our gratitude for the opportunity to address the commission on the very important issue of improving equal employment opportunity at NRC. We fully support NRC's efforts expended on equal opportunity for all employees as documented in the Multi-year Consolidated EEO Program Plan. In particular, we applaud the implementation of these semi-annual Commission briefings on the agency's EEO program which were initiated by the Chairman several years ago.

We believe that our participation in these briefings carries with it the responsibility to represent the views of black employees as frankly as possible. In the past we have tried to speak candidly about issues that affect us. It is in that same vein that we offer our comments today regarding the bottom line of EEO for black employees; and that is, how the average black employee is affected by the work environment in which he functions, on a day-to-day basis. The issue we are addressing to the Commission today is the low number of black employees in senior management positions at NRC.

We have looked at senior management positions at NRC and noted that only eight or approximately 5% are filled with a black person. If you look a bit further, you will find that only two of the eight are in the technical area. The issue we raise however, is not about numbers. Rather the issue is the significance of the numbers and the subsequent impact they have on employment opportunities for black employees.

We believe the significance first of all is that black employees have few role models and consequently have a tough time reconciling the fact that blacks can become senior managers when they see so few senior managers at NRC. Secondly, it has been shown that the presence of employees of a racial or ethnic group at higher levels of management can prevent the introduction of negative attitudes regarding that racial or ethnic group into the workplace. We submit therefore that the lack of black employees in senior management positions carries with it the potential for the introduction of attitudes into the workplace that have a negative impact on equal employment opportunities for black employees. Thirdly, the distribution of management employees by racial groups is some indication of the overall effectiveness of an entity's overall EEO program. (see table 1)

While the data shown in Table 1 is current data only, we believe a review of the history of black employment at NRC will show the same relative numbers. The data suggests that not much has changed over the years. Our review of current data on black employee distribution by grade and office suggests that in the future the current situation is unlikely to change. (see Graphs 1 and 2) Therefore, we believe that unless NRC takes a pro-active approach in addressing this situation, the number of black employees in senior management positions will continue to be low and consequently, equal employment opportunity for black employees will suffer. On the basis of our presentation here today, we would like to offer the following suggestions:

- the NRC should consider recruiting from outside the agency for senior management positions, (i. e., for office directors, deputy office directors).
- management should more closely monitor the efforts of individual offices to ensure that black employees are afforded opportunities to develop through among other things, training and job assignments.

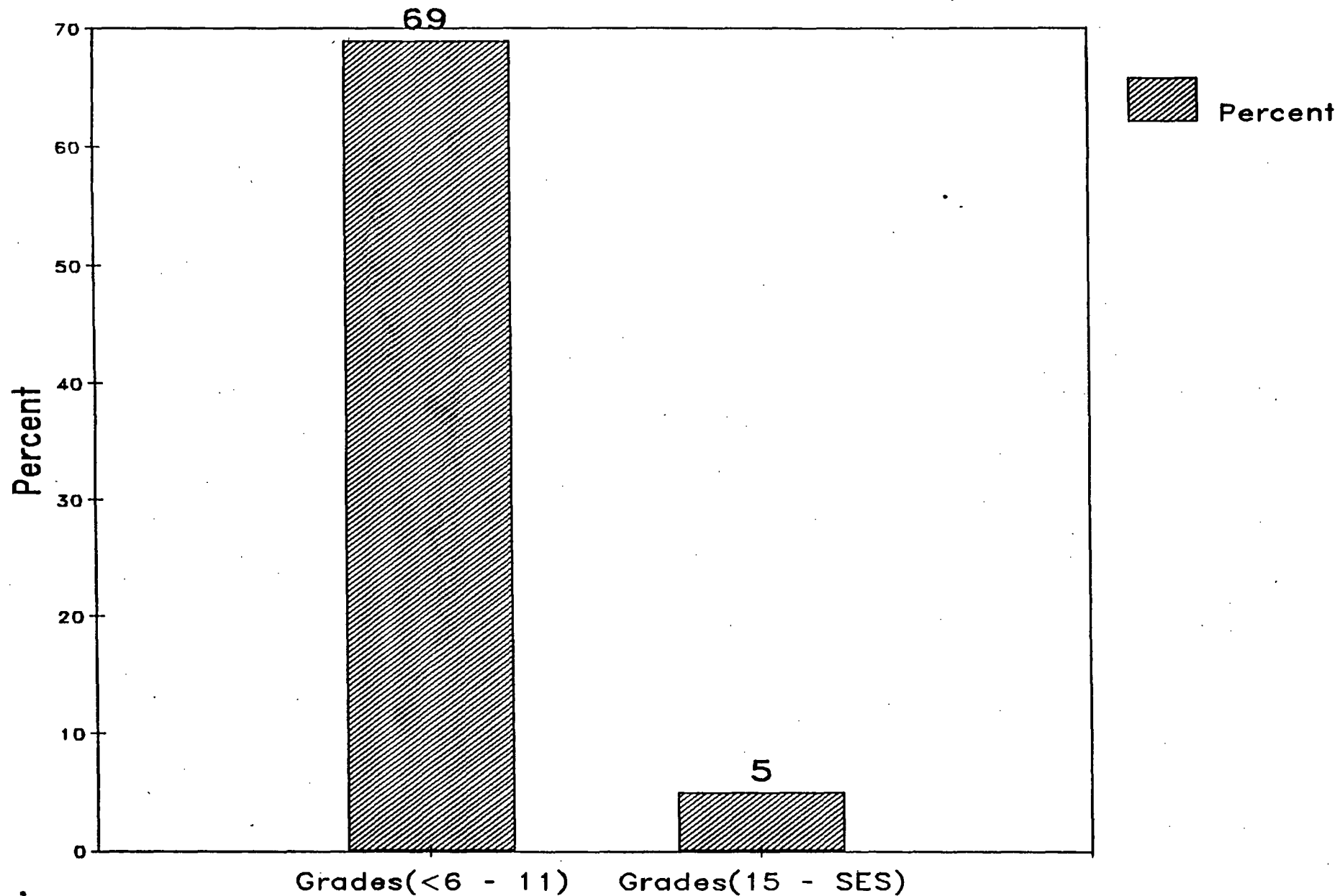
In closing I would like to thank the Commissioners for the opportunity to address you today and pledge to continue the efforts of the NRC Chapter of Blacks in Government to improve upon the NRC's EEO program. Thank You.

TABLE 1

RELATIVE NUMBER OF BLACK EMPLOYEES IN
SENIOR MANAGEMENT POSITIONS

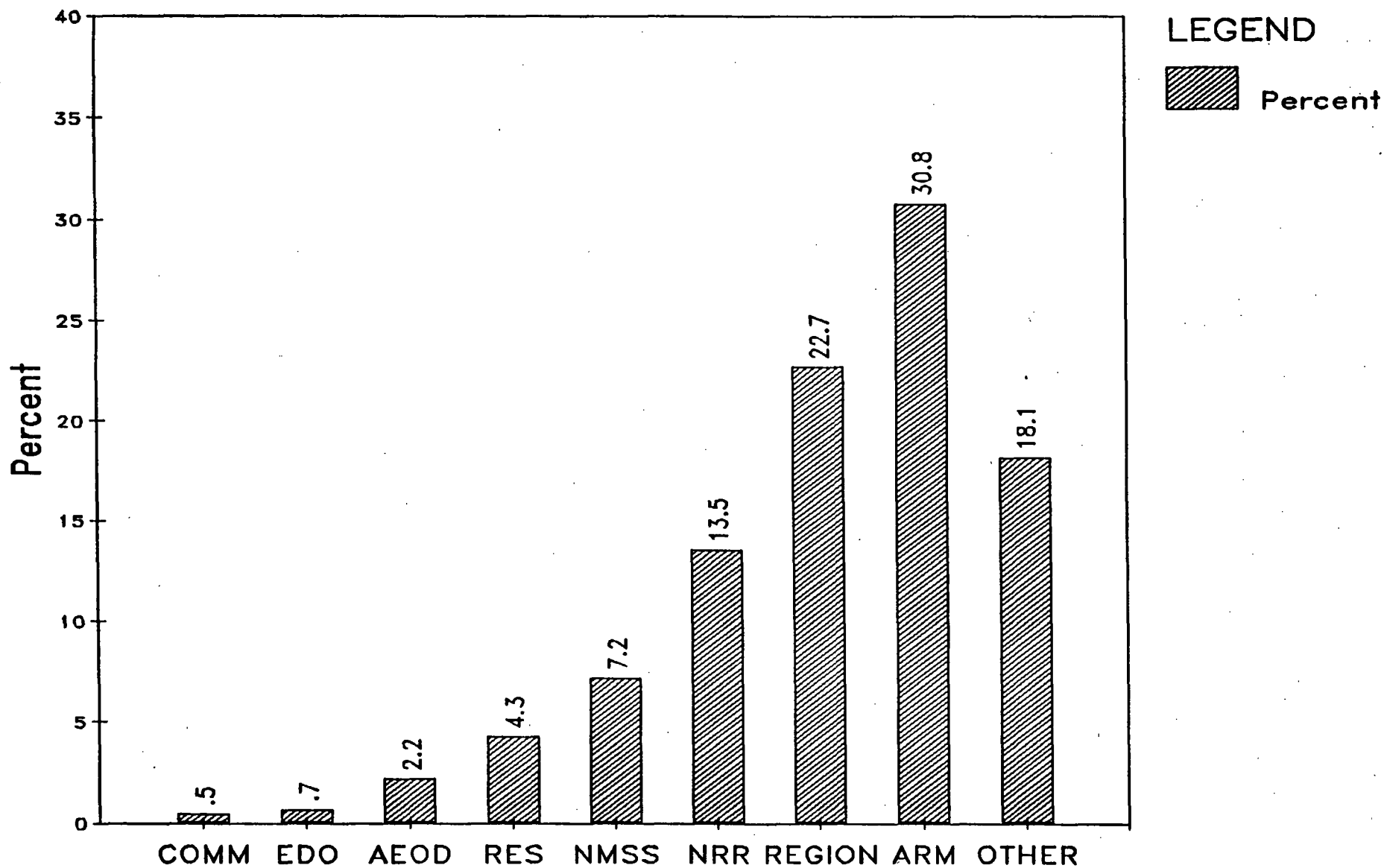
ORGANIZATION	TOTAL SENIOR MANAGEMENT POSITIONS	POSITIONS FILLED BY BLACK EMPLOYEES
ARM	19	1
AEOD	5	0
CONS	1	0
EDO	4	0
GPA	11	2
NMSS	11	1
NRR	18	0
OCM	5	0
OE	2	0
OGC	10	0
OI	2	0
OIA	5	0
OP	3	0
OSDBU/CR	4	3
OSP	11	0
R1	10	1
R2	12	0
R3	10	0
R4	11	0
R5	8	0
RES	12	0
SECY	2	0
TOTAL	178	8

DISTRIBUTION OF BLACK EMPLOYEES BY GRADE



GRAPH 1 (Data current as of 7/88)

DISTRIBUTION OF BLACK EMPLOYEES BY NRC ORGANIZATION



GRAPH 2 (Data current as of 7/88)

Comparison of the Distribution of Black Employees by Grade with the Distribution of White Employees by Grade

