



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
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January 28, 2019

MEMORANDUM TO: Margaret M. Doane  
Executive Director for Operations

FROM: Ho K. Nieh, Director **/RA/**  
Office of Nuclear Reactor Regulation

SUBJECT: IMPLEMENTATION OF CHANGES TO THE RESIDENT  
INSPECTOR PROGRAM – END-OF-TOUR FULL-TIME  
TELEWORK

During the March 1, 2017, Deputy Executive Director for Reactor and Preparedness Programs (DEDR) Direct Reports meeting, Regional Administrators reported challenges in attracting and retaining high-quality Senior Resident Inspectors (SRIs) and Resident Inspectors (RIs) to staff the RI program. The DEDR commissioned a working group to explore potential concerns and identify possible options to improve RI program recruitment and retention. The working group recommended five changes, three of which required Commission approval and were transmitted in SECY-19-002, "Implementation of Changes to the Resident Inspector Program" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18213A373). This memorandum discusses a recommended change to the RI program to enhance recruitment and retention that does not require Commission approval to be implemented—the allowance of end-of-tour full-time telework after the completion of a RI tour, contingent upon meeting eligibility requirements and subject to annual review and renewal. The fifth recommendation is being studied by a working group reviewing change of station policies, and is not discussed further in this memorandum.

**BACKGROUND:**

The U.S. Nuclear Regulatory Commission (NRC) established the RI program in 1978 to improve the agency's inspection program by providing increased knowledge of conditions at licensed facilities, improved ability to independently verify licensee performance, and improved incident response capability. Each licensed reactor facility, Category I fuel cycle facility, and construction site is typically staffed with a SRI and with the number of RIs appropriate to the specifics of the site.

Because of the demanding nature and hardships associated with the SRI or RI position, the need to be selective in making SRI and RI assignments, and economic factors, the NRC has experienced periodic challenges in meeting the RI program's staffing requirements. Regional Administrators reported during the March 1, 2017, DEDR Direct Reports meeting that there were challenges in attracting and retaining high-quality SRIs and RIs to staff the RI

CONTACT: Alexander Garmoe, NRR/DIRS  
301-415-3814

program. Changes were recommended to provide agency management with flexible options to help attract and retain high-quality staff in the RI program. The proposed actions support the Agency's enhanced Strategic Workforce Planning by promoting the recruitment and retention of individuals with a critical skill set directly related to the Agency's mission.

Over its lifetime, the RI program has evolved to attract and retain the necessary high-quality inspectors to meet the RI program goals. RI program changes have occurred in broad areas such as (1) recruiting and retention, (2) relocation-related economic incentives, (3) pay, and (4) career development and advancement.

Past specific RI program changes have included the (1) establishment of SRI and RI development programs, (2) establishment of a nationwide posting and selection process and oversight panel, (3) implementation of relocation bonuses and mobility agreements, (4) establishment of SRI and RI program pay differential, (5) establishment of saved-pay provisions for eligible inspectors who move to NRC regional or Headquarters positions, (6) extensions of tour length, and (7) inclusion of SRI and RI knowledge, skills, and abilities in rating factors, as appropriate, in non-SRI and non-RI positions.

At the March 1, 2017, DEDR Direct Reports meeting, participants discussed recent feedback from SRIs and RIs on a perceived lack of RI program attractiveness and the absence of promotional opportunities across the agency. The DEDR commissioned a working group to explore potential concerns and identify possible options to improve RI program recruitment and retention. The tasking focused on six areas of concern: (1) disruption of a partner's career plans, (2) pay issues with promotions, (3) change-of-station (COS) benefits, (4) the 3-step pay incentive, (5) end-of-tour reassignments, and (6) the saved pay feature. Based on feedback received, the working group also identified two additional areas of concern: (1) career progression/promotional opportunities and (2) work/life balance.

Through its review, the working group developed and evaluated 19 options intended to address all eight areas of concern. The options were prioritized based on feasibility and beneficial impact on recruitment and retention. Five options emerged that the working group determined would collectively address the concerns, highlight the value that the agency places on the work of the SRIs and RIs in the RI program, and provide an opportunity for resource savings:

- (1) Extend the RI tour length to 8 years,
- (2) Provide a mobility pay increase,
- (3) Modify saved-pay eligibility from 6 consecutive years to 6 cumulative years,
- (4) Allow end-of-tour telework, and
- (5) Establish a region and OCFO COS working group.

The working group's report is available in ADAMS as Accession No. ML18079A118. A new working group is being formed to explore challenges with the COS process (Item (5)). Items (1), (2), and (3) require Commission approval and are described in SECY-19-002. Item (4) is discussed herein.

The recommendation for end-of-tour telework was specifically described in the working group report as:

"Allow full-time telework specific to resident inspectors which provides for up to 3 years of telework at the end of their tour (working for the region/headquarters, but duty station

would be their home) contingent upon meeting eligibility requirements (consideration of costs and other factors) and subject to annual renewals.”

The working group viewed a period of full-time telework as an opportunity to incentivize RI retention and address the eight areas of concern reviewed by the working group. Establishment of a framework for full-time telework at the end of an inspector tour or following site closure is intended to address concerns with the RI program that were reviewed by the working group. Such a framework would increase the predictability of full-time telework requests by encouraging meaningful discussions between the individual and their supervisor about career goals and opportunities and the possibility of requesting full-time telework far in advance of the end of their tour or site closure. The framework would also promote more predictable full-time telework requests and more consistent evaluation of full-time telework requests, which would in turn result in more effective and efficient staffing transitions and resource planning.

In discussing the possible implementation of this recommendation with representatives from the Office of the Chief Human Capital Officer, the working group determined that this recommendation could be implemented in accordance with existing agency policies without Commission approval. Approval of such requests should not otherwise delay the ability of regional management to permanently backfill the position vacated by the transitioning SRI or RI.

#### Eligibility for Full-Time Telework

Eligibility requirements for SRI/RIs are no different from other agency employees requesting a telework arrangement and the approval of such requests is in accordance with existing agency guidance. Final approval of a full-time telework agreement rests with the respective Office Director or Regional Administrator, consistent with Management Directive 10.166, “Telework.” An SRI or RI becomes eligible to request full-time telework approximately one year prior to the completion of his/her inspector tour generally in the same geographic location they are currently assigned. Unusual or extenuating circumstances could result in an SRI or RI being approved for re-assignment into a position with full-time telework in advance of the completion of their tour. One example of such a circumstance is closure of the facility at which they are assigned before their tour is complete. Another example in which end of tour telework may be beneficial is when an SRI/RI desires to move to another SRI/RI position that will not open until after completion of the SRI/RIs current tour, and the Regional Administrator approves a period of full-time telework until the individual can fill the new position.

High-performing, experienced SRIs and RIs are of significant value to the agency, therefore regional management is encouraged to identify portable work opportunities and flexibility for SRI/RIs seeking a period of end-of-tour telework during their search for a permanent assignment at another RI site or regional/headquarters office. As with all telework arrangements, the requesting employee, working with their management, must establish sufficient duties that are portable and that can be effectively performed outside of the traditional office setting. While management is encouraged to make efforts to support such requests, the agency may not be able to support all requests. Inspectors should keep this in mind as they consider other available RI program or career opportunities toward the end of their tour. Examples of such work opportunities include:

- Support to their regional office as a traveling inspector based out of their home location for a period of time after their RI tour is complete
- Support to other regional offices (primarily remotely from home with some on-site inspection or project support)

- Support to the Division of Inspection and Regional Support or other headquarters offices or divisions (primarily remotely from home with some on-site project support)
- Temporary re-assignments, rotations, or promotions as an SRI or RI at other sites
- Other career developmental opportunities

Consistent with existing agency policies for full-time telework found in Management Directive 10.166, the Collective Bargaining Agreement, and other guidance as applicable, the telework agreement would initially be for up to one year, with an annual requirement to review the arrangement and request a renewal. The annual review and renewal process affords predictability as conversations leading up to the renewal point would let the employee and their supporting organization make an informed decision regarding the continued justification for the telework arrangement.

Movement into a full-time telework status means the individual would no longer be considered an active RI (i.e., the individual has been assigned to a non-RI position) unless or until they begin another RI tour (i.e., the individual is again assigned to a RI position). Note that individuals at a site being permanently closed may not meet eligibility requirements for saved pay, as discussed in IMC 2515. Under these circumstances, the transitioning SRI or RI should understand that leaving the RI program may result in a financial impact and should discuss the matter with their supervisor. Additionally, individuals considering a full-time telework arrangement should ensure they understand whether such an arrangement would impact relocation benefits for their next move. Inspectors should routinely discuss career planning with their management, and consideration of requesting end-of-tour full-time telework should be communicated well in advance (i.e., at least one year). Based on RI program resources, agency staffing, and the considerations contained in this memorandum, even though management is encouraged to make efforts to support such requests, the agency may not be able to support all requests. Inspectors should keep this in mind as they consider other available RI program or career opportunities toward the end of their tour. The availability of an end-of-tour telework option is not intended to relieve the expectation that inspectors make good faith efforts to pursue other permanent assignments before the end of their RI tour is reached.

If at any point the telework agreement is revoked or not extended, the individual should be provided a reasonable period of time to relocate to the new duty station. While guidance for full-time telework and the CBA indicate that the agency would normally provide 30 days for relocation, RIs are relocated to their current location via the agency's relocation program for the benefit of the agency. Because of this, when RIs must relocate from their end-of-tour telework location, the agency should offer at least 120 days to complete the relocation, consistent with the agency's relocation policy.

#### Consideration of Full-time Telework Requests

An opportunity for end-of-tour telework would be considered based on the availability of sufficient and appropriate portable work, and is intended to provide flexibility in the timing of the next relocation while offering the opportunity to continue to meaningfully contribute to the agency's mission. Because of the unique position RIs are in regarding the expectation and need to relocate, management should undertake reasonable efforts to identify portable work opportunities for RIs who have completed an inspector tour and could perform remotely for a period of time. Such a period of time is reviewed and potentially renewed annually. When seeking portable work for an inspector requesting full-time telework, consideration should be agency-wide. Bi-weekly Friday calls hosted by NRR/DIRS with division level regional management are one opportunity for regional management to discuss opportunities that might

be available for RIs looking at a period of full-time telework. This could be added as a standing agenda topic for these periodic calls.

A framework for matching full-time telework resources in non-RI positions with opportunities containing a sufficient amount of portable work is below.

- (1) SRI/RI discusses with supervisor their interest in a full-time telework opportunity.
- (2) Supervisor and division/office management discuss RI program staffing, regional staffing and vacancies, upcoming RI program opportunities, etc. to ensure the regional office can support moving the individual out of the RI program and into full-time telework status for a period of time.
- (3) Consistent with agency staffing policies, identify a position to which the SRI/RI can be assigned. Sufficient portable work must be identified commensurate with the workload expected of a full-time staff member of the individual's grade level. A number of potential opportunities are included below for consideration, though this is not an all-inclusive list of options.
  - Identify region-specific portable work, for example:
    - Staffing needs within the regional office that the individual is qualified to fill and can do so largely remotely (e.g., Division of Reactor Safety or Independent Spent Fuel Storage Installation inspection staffing shortages)
    - Branch support as a senior project engineer or project engineer
    - Allegations/enforcement staffing
  - Identify cross-regional portable work, for example:
    - Individual could be temporarily reassigned to another region to fill an inspection staffing need in that region
  - Work with NRR/DIRS to identify portable work opportunities in headquarters, for example:
    - Support for inspection program-related projects either via temporary reassignment to NRR/DIRS or by remaining a regional staff member supporting NRR/DIRS projects
  - Identify portable work in other NRR divisions or headquarters offices, for example:
    - Support for special projects in the Division of Operating Reactor Licensing
    - Support for risk-informed initiatives in the Division of Risk Assessment or Office of Research
  - Identify portable work with the Technical Training Center or Human resources Training and Development, for example:
    - Technical training course development
    - Backfill for technical instructors during staff shortages

It is important for inspectors and their supervisors to discuss and plan full-time telework requests in advance so available work can be identified and the individual can predictably transition from their RI assignment to a non-RI position that allows for full-time telework.

- (4) If a suitable work assignment or portable work is identified and agreed to by branch, division, and office or regional level management, work with regional human resources and OCHCO, if necessary, to facilitate the reassignment. The individual must also at this point develop and route for approval their full-time telework request, consistent with agency telework policies and guidance. Final approval of a full-time telework agreement rests with the respective Office Director or Regional Administrator, consistent with Management Directive 10.166.

As previously stated, if the individual takes on full-time telework at the completion of their tour they are no longer in the RI position, even if temporarily. The individual would not remain on a mobility agreement during the full-time telework period since mobility agreements are specific to the RI position. However, because the purpose of approving end-of-tour full-time telework for RIs is to help mitigate the quality of life concerns that relocation at a specific time can present, the individual may be expected to at some point transition to another RI program position. Therefore, the individual should maintain their inspector qualifications and should be included in the initial solicitation of four-year eligible SRIs or RIs to fill RI program openings.

Under this option, the individual would be supporting the agency by performing other work, largely from their residence, which would be in proximity to a nuclear power plant or fuel cycle facility given their recent assignment as an RI. The individual would be permitted to provide limited periodic on-site or off-hours RI office coverage for nearby plants, including a plant in which they completed a full inspector tour. For objectivity reasons, on-site SRI/RI coverage should not be provided for extended time periods at a plant in which the SRI or RI completed a full inspector tour. Off-hours coverage, for example if both assigned inspectors are out of the area, should be limited but no specific limit is provided. Any of these limitations would be waived in the event of response to a plant emergency.

Staff is not guaranteed approval for full-time telework and initial approval does not guarantee renewal for any particular time period. Discussion in this guidance of approval for up to three years should be considered a reasonable guideline for annually-based telework agreements that would enable an SRI/RI to avoid unnecessary relocation hardships in between permanent assignments. If the SRI/RI is unsuccessful in obtaining another position within the RI program within three years, the inspector will be expected to apply for another RI assignment or other agency solicitation or vacancy. Should the individual wish to request full-time telework for additional time beyond three years, the additional support for the individual encouraged in this guidance, such as management support in finding portable work opportunities, might not continue to be offered.

#### Implementation:

Existing agency telework policies support implementation of this working group recommendation without the need for revision. Inspection Manual Chapter (IMC) 2515, "Light-Water Reactor Inspection Program—Operations Phase," discusses RI policy, RI relocation, and the assignment of RIs. The construction RI program and policies are discussed in IMC 2506, "Construction Reactor Oversight Process General Guidance and Basis Document." The fuel cycle facility RI program and policies are discussed in IMC 2600, "Fuel Cycle Facility Operational Safety and Safeguards Inspection Program," and IMC 2600 Appendix C, "Fuel Cycle Resident Inspection Program." The staff proposes to incorporate guidance for implementing this working group recommendation in IMC 2506, IMC 2515, IMC 2600, and IMC 2600 Appendix C.

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 – END-OF-TOUR FULL-TIME TELEWORK JANUARY 28, 2019

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