

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION  
3 OFFICE OF THE SECRETARY

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5 BRIEFING ON EEO PROGRAM

6 \*\*\*

7 PUBLIC MEETING

8 Nuclear Regulatory Commission  
9 One White Flint North  
10 Building 1, Room 1F-16  
11 11555 Rockville Pike  
12 Rockville, Maryland

13  
14 Thursday, August 5, 1999  
15

16 The Commission met in open session, pursuant to  
17 notice, at 10:02 a.m., the Honorable GRETA J. DICUS,  
18 Chairman of the Commission, presiding.

19 COMMISSIONERS PRESENT:

- 20 GRETA J. DICUS, Chairman of the Commission
- 21 NILS J. DIAZ, Member of the Commission
- 22 EDWARD McGAFFIGAN, JR., Member of the Commission
- 23 JEFFREY S. MERRIFIELD, Member of the Commission

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1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

- 2 KAREN D. CYR, General Counsel
- 3 ANNETTE L. VIETTI-COOK, Assistant Secretary
- 4 WILLIAM TRAVERS, Executive Director for Operations
- 5 RAYMOND HOLT, Chair of the Advisory Committee for
- 6 African-Americans
- 7 ELLIS MERSCHOFF, Regional Administrator, Region IV
- 8 PATRICIA NORRY, Deputy Executive Director
- 9 for Management Services
- 10 IRENE LITTLE, Director of the Office of Small
- 11 Business and Civil Rights
- 12 PAUL BIRD, Director of the Office of
- 13 Human Resources
- 14 DAVID DIEC, Asian-Pacific-American
- 15 Advisory Committee
- 16 JOSE IBARRA, Hispanic Employment Program
- 17 Advisory Committee
- 18 ELLIOTT GREHER, Affirmative Action Advisory
- 19 Committee
- 20 BRIAN THOMAS, Advisory Committee for
- 21 African-Americans
- 22 PAUL NARBUT, Committee on Age Discrimination
- 23 MARY GIVVINES, Federal Women's Program Advisory
- 24 Committee
- 25 TOM WOLF, National Treasury Employees Union

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

2 [10:02 a.m.]

3 CHAIRMAN DICUS: Good morning. Good morning  
4 everyone. Again, on behalf of my fellow Commissioners, I  
5 welcome you to this briefing.

6 Today we will be brief by the NRC staff on the  
7 status of the Equal Employment Opportunity program here at  
8 the NRC. The Energy Reorganization Act of 1974, as amended,

9 requires the Nuclear Regulatory Commission's Executive  
10 Director for Operations to report to the Commission at its  
11 semi-annual public meetings on the problems, progress and  
12 status of the agency's Equal Employment Opportunity program.

13 Now, during the last five years, as you are all  
14 aware, the agency has undergone major changes in such areas  
15 as organizational structure, downsizing, budget reductions,  
16 supervisor to employee ratio and performance appraisals and  
17 employee feedback.

18 The focus of today's briefing is on the impact of  
19 these organizational changes on the EEO program and work  
20 force diversity at the NRC. Our common goal is to assure to  
21 the extent that we possibly can that such difficulties and  
22 challenges do not prevent steady and persistent efforts to  
23 achieve our EEO goals.

24 We will also hear from the staff on the current  
25 strategies in place and the challenges the agency faces in

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1 achieving an EEO standard of excellence as we move toward  
2 the new millennium. We do look forward to hearing about the  
3 progress we are making and the results we have achieved in  
4 the EEO area. I understand that copies of the briefing  
5 material are available at the entrances to this room, and I  
6 would also ask if any of my colleagues would like to make  
7 any opening comments at this time.

8 [No response.]

9 CHAIRMAN DICUS: Okay. We have a very full  
10 agenda. I know there are quite a few number of  
11 presentations. I am going to ask, to the extent you  
12 possibly can, to try to conclude in about 40 to 45 minutes,  
13 so we have an adequate round of questions for the panel from  
14 the Commissioners. Then the representatives of the various  
15 advisory groups will have the opportunity to go to the  
16 podium and present any comments they would like, together  
17 with any questions that the Commission might have. So,  
18 given that, let me shut up, and Dr. Travers, you may  
19 proceed.

20 DR. TRAVERS: Good morning, Chairman. Good  
21 morning, Commissioners. Good morning, everyone. We are  
22 glad to be here today for, as you pointed out, Chairman, our  
23 semi-annual meeting to discuss the status of NRC's EEO  
24 program. As you pointed out, while we have traditionally  
25 focused our discussions on the status and progress in a

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1 variety of areas, today's presentation is built around the  
2 theme of organizational change and its impact on the NRC's  
3 EEO program.

4 Before we proceed very far, let me introduce those  
5 of us at the table. Joining me on my right, of course, is  
6 Pat Norry, The Deputy Executive Director for Management  
7 Services; Irene Little, the Director of the Office of Small  
8 Business and Civil Rights; Paul Bird, the Director of the  
9 Office of Human Resources; and on my left is Ellis  
10 Merschhoff, the Regional Administrator for Region IV, who  
11 will discuss the implementation of the EEO program in the  
12 region; and Raymond Holt, who is the Chair of the Advisory  
13 Committee for African-Americans, who will provide a  
14 perspective from the EEO Advisory Committees to the  
15 Commission.

16 Irene Little will now introduce the other EEO  
17 Advisory Committee representatives who are here with us  
18 today.

19 MS. LITTLE: Thank you, Bill. The Advisory  
20 Committees are sitting behind us in the well. I ask that  
21 you please stand when your name is called and you are  
22 introduced.  
23 David Diec, Chair of the Asian-Pacific-American  
24 Advisory Committee; Jose Ibarra, Chair of the Hispanic  
25 Employment Program Advisory Committee; Elliott Greher, Chair

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1 of the Affirmative Action Advisory Committee; Paul Narbut,  
2 Co-Chair, Committee on Age Discrimination; Mary Givvines,  
3 Chair, Federal Women's Program Advisory Committee; and also  
4 joining us is Tom Wolf of the National Treasury Employees  
5 Union. I'm sorry. Brian Thomas, who is from the  
6 African-American Advisory Committee.

7 DR. TRAVERS: Thank you, Irene. Just a few  
8 additional comments before I turn it over to Pat. As we all  
9 know the agency has in fact, and is in fact undergoing  
10 significant change, particularly over the last several  
11 years. In addition to the programmatic and regulatory  
12 changes, we have also undertaken a number of significant  
13 management initiatives. Chairman, you mentioned a number of  
14 those. Again, today we intend to discuss our assessment of  
15 the impact of some of those changes on the EEO program.

16 As we continue to carry out our fundamental safety  
17 mission and, particularly, as we undertake initiatives that  
18 are intended to improve our overall organizational  
19 effectiveness, I think it is important to emphasize that we  
20 remain committed to maintaining and even improving employee  
21 job satisfaction and work force diversity.

22 We have developed specific EEO program strategies  
23 to do this and we intend to continue to strive toward a  
24 standard of excellence in EEO and regulatory performance.

25 Let me now turn to Pat Norry, who is going to

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1 provide a summary of our response to the Staff Requirements  
2 Memorandum resulting from the last Commission briefing.

3 MS. NORRY: Thank you, Bill. The last Commission  
4 briefing on EEO was in December of 1998, and I would like to  
5 briefly summarize the actions that were taken in response to  
6 the SRM from that briefing, and some other things we did to  
7 follow up.

8 The SRM requested several things, they include  
9 require Managing Diversity Training for all agency  
10 supervisors. We need the first slide. Provide demographics  
11 of technical interim program participants. Encourage  
12 supervisors to rate employees fairly and objectively, and  
13 provide avenues for improving their skills. Encourage  
14 supervisors to work with employees to develop IDPs.  
15 Encourage supervisors to promote from within the agency,  
16 where appropriate. And encourage seasoned employees to  
17 serve as mentors.

18 During Fiscal '98 we conducted several sessions of  
19 Managing Diversity Training for managers and supervisors.  
20 All regional supervisors and over 50 percent of headquarters  
21 supervisors have attended the training. Approximately 150  
22 have not yet been trained, and we have scheduled two  
23 additional sessions in September and October of this year to  
24 accommodate them.

25 On technical interns, we looked at the records on

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1 the applicants and selectees for the Technical Intern  
2 Program and we provided this information in response to the  
3 SRM. A total of five were hired in '98, which were two  
4 Asian men, one Asian woman, one Hispanic man and one white  
5 woman. In '99 we hired six technical interns, which was one  
6 white woman, one white man, two African-American women, one  
7 Native American woman, and one Asian woman, and we have also  
8 hired three entry level technical employees in Fiscal '99.

9 So, as you can see, the Technical Intern Program  
10 continues to provide a diverse pool of highly qualified  
11 candidates for technical positions within the agency.

12 In responding to the remaining issues in the SRM,  
13 I sent a memo to all managers and supervisors encouraging  
14 them to use IDPs to assist employees in developing career  
15 strategies, in seeking relevant training and in identifying  
16 potential promotional opportunities. The memo also  
17 encouraged managers who have advanced in their careers to  
18 serve as mentors, providing career advice to new and more  
19 junior employees.

20 With respect to the Commission's interest in  
21 selecting from within, we did a review of non-SES  
22 competitive selections through May of '99, which shows that  
23 a total of 142 selection were made. Of these, 90 were  
24 internal selections, including promotions and reassignments.  
25 The remaining 52 employees were hired externally through the

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1 competitive merit selection process.

2 We also addressed two additional items from the  
3 last briefing. First, we compared NRC's minority attrition  
4 data with that of NASA, DOE and EPA. We found that NRC's  
5 minority attrition rate is similar to NASA's and EPA's.  
6 DOE's rate is slightly higher than NRC's.

7 As indicated in our response, NRC's affirmative  
8 employment initiatives are comparable to and, in some cases,  
9 more progressive than those of the agencies we contacted.  
10 Examples include our Technical Intern Program, our emphasis  
11 on entry level hires, our facilitated mentoring program, our  
12 rotational program, and our effort in staffing upward  
13 mobility positions.

14 There is still room for improvement, but we do  
15 compare favorably with other federal agencies in the  
16 retention of minority employees.

17 The second issue is conducting an assessment of  
18 the impact of downsizing on women and minorities. We have  
19 completed our assessment and the results are included in  
20 today's briefing. I will now ask Irene Little to provide a  
21 summary of our activities.

22 MS. LITTLE: Thank you, Pat. As Bill previously  
23 stated, the theme of the briefing today is an assessment of  
24 the impact of organizational change on the EEO program.  
25 During the past two years or so, the agency has undergone

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1 significant organizational changes.

2 We look at five areas. (1) Changes in  
3 organizational structure. (2) Downsizing. (3) Supervisor  
4 to employee ratio. (4) Budget reductions. (5) Performance  
5 Appraisals and employee feedback.

6 These changes created significant shifts in the  
7 way NRC conducts its business. They were put in place to  
8 enhance regulatory effectiveness, efficiency and meet  
9 federal mandates. We examined the demographics of the  
10 agency's employees before and after these changes took

11 place.  
12 The agency's work force profile looked something  
13 like this. In 1995, the agency's work force of 3,161  
14 permanent employees was 53 percent white male, 26 percent  
15 white female, 12 percent African-American, 6 percent Asian,  
16 2 percent Hispanic and .2 percent Native American. At the  
17 end of May 1999, which is the end date for the date we are  
18 discussing today, the NRC work force had been reduced to  
19 2,866 permanent employees, and at that time was 52 percent  
20 white male, 26 percent white female, 13 percent  
21 African-American, 7 percent Asian, 2 percent Hispanic and .3  
22 percent Native American.  
23 The gender breakout for FY 1995 and 1999 is  
24 identical, at 37 percent female and 63 percent male.  
25 As you can tell from the data, there is relatively

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1 little change in the percentages of the demographics and the  
2 work force over that five year period.  
3 MS. NORRY: Let me just add a point here, if I  
4 may. We, of course, are very pleased that our overall  
5 diversity has not been adversely impacted by the changes.  
6 We lost no ground in diversity. But, on the other hand, we  
7 need to continue to focus on that and the elimination of  
8 under-representation where it exists.  
9 Our experience has shown that intern programs and  
10 entry level hiring do the best job of attracting a diverse  
11 pool of highly qualified candidates, and present an  
12 excellent opportunity to increase the diversity.  
13 So, to achieve significant progress, agency  
14 managers and supervisors will need to establish more entry  
15 level positions and recruit aggressively to attract  
16 candidates for these programs. To be competitive in this  
17 highly, highly competitive market, we have to have line  
18 managers and HR working, with the assistance of Irene's  
19 office, working together to identify these candidates, to  
20 get them in the door and to tell the NRC is a great place to  
21 work.  
22 To this end, Paul is hiring a new recruitment  
23 officer who will be solely -- who will be responsible only  
24 for recruitment, getting people in the door, marketing us to  
25 various colleges and universities, and finding the best

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1 sources of highly qualified and diverse candidates. We hope  
2 this will help us to not only maintain the line but improve  
3 it.  
4 Irene.  
5 MS. LITTLE: Thank you, Pat. Also starting in  
6 this year, FY '99, staff from the Office of Small Business  
7 and Civil Rights is meeting with all new employees to  
8 discuss with them the agency's facilitated mentoring  
9 program. Our interest is in making sure that employees get  
10 off to a good start in the agency.  
11 The first area of change that we looked at is  
12 organizational structure. Major changes in the structure of  
13 the organization were implemented consistent with the  
14 agency's new strategic approach to planning and management.  
15 These changes are intended to facilitate more effective team  
16 interaction between and among offices having similar  
17 functions. Consistent with the new and more strategic  
18 approach was the development of the agency's five year  
19 affirmative employment plan which establishes the direction

20 for the agency's EEO program.  
21 This new plan was distributed to all agency's  
22 employees earlier this fiscal year, and it discusses the  
23 four guiding principles that serve as the basis of EEO goals  
24 and objectives in the office's operating plans. They are  
25 also used to assess EEO managerial performance and office

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1 achievement. The guiding principles will be discussed a  
2 little bit later in the briefing.

3 The new strategic approach enables us to better  
4 monitor EEO activities, to provide timely feedback to  
5 managers and supervisors, and provide more meaningful status  
6 reports to the Commission.

7 The new structure realigned several SES positions.  
8 The staffing of these positions resulted in promotions for  
9 four white women, four white men, one Asian woman, three  
10 African-American men and the hiring of two white men into  
11 the SES. We concluded that the reorganization had positive  
12 impact on the diversity of agency senior management and no  
13 adverse impact on the agency overall.

14 The next area of change is downsizing. Downsizing  
15 presents a challenging task for management and can create a  
16 work environment of uncertainty for employees. During  
17 downsizing, the agency's FTE resources were reduced  
18 significantly. This resulted in overall staff reductions,  
19 reduction in the number of SESers, managerial and  
20 supervisory positions, and reductions in positions at the  
21 Grade 14 level and above.

22 The agency's staff reductions have been primarily  
23 accomplished through attrition and no agency-wide reductions  
24 in force were necessary. Although many employees left the  
25 agency over the past two years, as indicated in our data,

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1 our demographic profile has remained relatively constant.

2 Another area affected by downsizing is the  
3 opportunity for promotion. We also looked at competitive  
4 selections. Promotional opportunities have been somewhat  
5 limited, and those that are available are highly  
6 competitive. A review of non-SES merit selections during  
7 the period since 1995 shows a downward trend in competitive  
8 selections for minority groups. During this same period,  
9 selections for white men and women show an upward trend.  
10 Our further review of the situation revealed that in some  
11 instances, minorities were among the best qualified  
12 applicants and in other instances, there were no minority  
13 applicants. This is an area of concern for management.

14 We are considering instituting a practice of  
15 sending a network announcement as a reminder to employees,  
16 referring to the NRC web page when jobs are posted.

17 In a work environment of rapid and significant  
18 change, employees may also experience low morale and have a  
19 general concern for their employment. Sometimes this is  
20 manifested in an increase in EEO complaints. We looked at  
21 this also in our assessment. And what we found is that we  
22 have seen a fairly consistent level of formal EEO  
23 complaints, averaging about 11 complaints annually over the  
24 past five years, and there was been no increase in formal  
25 complaints over the past three years.

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1 This consistent low level of formal complaints may  
2 be one indicator of the efforts made by our cadre of EEO

3 counselors, my staff and the Office of Small Business and  
4 Civil Rights, and the managers in resolving EEO issues at  
5 the informal stage.

6 We will continue to train, develop and mentor  
7 employees to assist them in preparing for career advancement  
8 opportunities and to ensure that broader notice is made for  
9 posted vacancies.

10 An additional challenge was placed on the agency  
11 to streamline its supervisory and management core, to  
12 achieve a 1 to 8 supervisor/employee ratio. This effort  
13 resulted in a reduction of supervisory positions from 494 in  
14 1995 to 335 in 1999, including a reduction of on-board  
15 SESers from 183 in 1995 to 146 in 1999.

16 Necessary reductions were carefully managed and  
17 including voluntary early-outs and selective buy-outs to  
18 achieve our goal. The representation of women and most  
19 minority groups in the supervisor and managerial ranks  
20 remained constant. The exception is Asian employees. As  
21 indicated in the data and reflected on the chart, the number  
22 of Asian employees in supervision decreased from 19 to 12  
23 between FY '98 and May 31st of 1999. This is an area of  
24 management focus.

25 Our challenge is to increase the pipeline of

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1 diverse applicants for supervisory positions. The SES  
2 Candidate Development Program is one potential means of  
3 increasing diversity in the applicant pool for managerial  
4 positions. The SES Candidate Development Program was  
5 announced in June of this year, the first time since 1993.

6 We also looked at the impact of the reduction in  
7 supervisory positions relative to age and we found, as we  
8 expected, the agency is growing older. We found no change  
9 in the relative percentages of employees in supervision over  
10 the age of 40. The overall impact of this area, we  
11 conclude, has not been adverse.

12 The next area we looked at was budget reductions.  
13 Reduced budgets result in reduced overall opportunity for  
14 hiring, career advancement and training, all of which may  
15 impact the agency's ability to attract, recruit, develop and  
16 retain highly qualified employees.

17 Over the past several years, entry level hiring  
18 has been a principal means of enhancing representation of  
19 women and minorities at all levels of the work force. We  
20 looked at the demographics of new hires and what we found  
21 was as follows. While the percent of representation of  
22 Asian employees in this area has increased, in 1997, five  
23 percent of those new hires were Asian, in 1998 13 percent  
24 were Asian. Representation of other minority groups has  
25 decreased or remained below their representation in the work

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1 force.

2 The number of rotational assignments has decreased  
3 by more than 50 percent over the past year, and this is  
4 another area where minorities were not well represented in  
5 1999. We are not sure if minority employees are not aware  
6 of rotational opportunities, or whether they are not  
7 indicating their interest in rotational opportunities, or if  
8 supervisors have been unable to accommodate their requests  
9 for rotations.

10 In order to facilitate a more informed rotational  
11 process, recently the Office of Human Resources announced a

12 means for employees to post on the web their interest in  
13 rotational assignments. This should provide all interested  
14 employees an equal opportunity to be considered for  
15 rotational assignments.

16 We must place greater emphasis on targeted  
17 recruitment efforts to enhance minority representation of  
18 entry level hiring. We must also continue to provide  
19 developmental opportunities and create a positive work  
20 environment for employees.

21 The final area of assessment is performance  
22 appraisals and employee feedback. Use of a performance  
23 appraisal process is one tool to measure the success of  
24 employees. An appraisal can have an impact on an employee's  
25 opportunity for career advancement. However, over time,

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1 inflation or deflation of performance ratings can erode the  
2 value of the process. During the past several years,  
3 through FY 1997, approximately 50 percent of all employees  
4 in the NRC received outstanding performance ratings.  
5 Adherence to the definitions of performance levels resulted  
6 in a decrease of 10 percent in outstanding performance  
7 ratings in FY 1998. The number of outstandings were reduced  
8 from 44 percent to 34 percent.

9 During that same period of time, the percentage of  
10 white males receiving outstanding ratings decreased by 7  
11 percent, white females decreased by 33 percent,  
12 African-Americans decreased by 14 percent, Asians by 11  
13 percent, Hispanics by 3 percent, and employees age 56 and  
14 above decreased by 10 percent. Employees 50 to 55 decreased  
15 by 13 percent, and those 49 and under, a reduction of 10  
16 percent.

17 As you can see by the numbers, most of the groups  
18 are consistent with the agency's 10 percent reduction.  
19 Three groups stand out, white females, African-Americans and  
20 those age 50 to 55. Our message to managers is that they  
21 must continue to emphasize evaluating employees fairly and  
22 providing them timely and candid feedback regarding goals  
23 and expectations.

24 Attending training courses on conducting effective  
25 performance appraisals and using effective supervisory

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1 practices are required of all new supervisors. Other  
2 courses are available to all supervisors.

3 We will continue to provide managers the tools  
4 needed to successfully implement the performance appraisal  
5 process and improve communication within the organization.

6 The agency's new strategic framework for planning  
7 provides a backdrop for every program in the NRC, including  
8 the EEO program. The EEO program seeks to achieve and  
9 maintain a proactive approach to work force diversity. We  
10 must continue to work together, management and staff, with a  
11 common goal of achieving an EEO standard of excellence. As  
12 mentioned earlier, the agency's five year affirmative  
13 employment plan communicates this objective and provides the  
14 guiding principles for achieving it.

15 The guiding principles are, number one, create a  
16 working environment that is free of discrimination,  
17 including harassment, and is accessible to individuals with  
18 disabilities. We must educate our employees on the broad  
19 scope of EEO, and, consistent with this, we have planned for  
20 several sessions of Managing Diversity Training for  
21 employees during FY 2000.

22 The second guiding principle is to ensure that  
23 agency policies, processes and procedures provide all  
24 employees the opportunity to participate in mission  
25 accomplishments and to compete fairly and equitably for

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1 career enhancement and advancement. We must continue to  
2 reinforce management policies and practices that support our  
3 EEO objectives and hold managers accountable. We will  
4 continue to monitor EEO activities and provide managers  
5 feedback and assistance as needed.

6 The third principle is employ a competent and  
7 highly skilled work force, representative at all levels of  
8 American's diversity, and enable employees to accomplish the  
9 agency's mission by providing support, tools and a positive  
10 work environment.

11 We must continue to expand the pool of women,  
12 minority and disabled applicants and employees of all ages  
13 in our efforts to enhance their representation at all levels  
14 of the organization, and retain the high calibre employees  
15 in which we have invested.

16 The fourth guiding principle is to recognize,  
17 appreciate and value diversity, thereby demonstrating trust,  
18 respect and concern for the welfare of all employees within  
19 the agency. We know that our employees are our most  
20 valuable resource. It is important to continue to value and  
21 respect the people who perform the work and who form the  
22 foundation for the success of the agency now and in the  
23 future. We are concerned about the welfare of all employees  
24 and must continually strive to be an organization that  
25 appreciates its most valuable resource, our employees, and

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1 we must do so without regard to gender, race, color,  
2 national origin, handicap, age or sexual orientation. This  
3 concludes my presentation.

4 MS. NORRY: Thank you, Irene. Now, I will ask  
5 Ellis Merschoff to speak on the EEO programs in Region IV.

6 MR. MERSCHOFF: Thank you. Good morning. Good  
7 morning, Chairman Dicus, Commissioners. I am pleased to  
8 have the opportunity to address the Commission today on a  
9 topic which is very important to us, Equal Employment  
10 Opportunities within Region IV.

11 Region IV fully supports the agency's Equal  
12 Employment Opportunity and Diversity Policy and is committed  
13 to the selection and development of an effective and diverse  
14 work force. Region IV has 178 full-time and part-time  
15 employees and has succeeded in improving the diversity of  
16 our work force over the past five years.

17 As you know, this five year period has been one  
18 characterized by enormous change in our organization. We  
19 have gone from the separate Regions IV and V to a Region IV  
20 with a Walnut Creek Field Office, to a fully consolidated  
21 and streamlined Region IV organization. Specifically, the  
22 combined Region IV and Region V organizations in 1994 had a  
23 total of 23 women and 21 minorities in professional and  
24 managerial positions.

25 The numbers over the past five years have held

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1 steady or slightly increased as a percentage of the total  
2 supervisory and professional pools, which is particularly  
3 impressive when considered in light of the 22 percent

4 reduction in on-board staff, and 62 percent reduction in  
5 supervisory positions over the same period.

6 These improvements can be attributed to a  
7 management team committed to a diverse and effective work  
8 force, aggressive recruiting, an active internal mentoring  
9 program, careful attention to retention of existing  
10 employees, meaningful training and developmental  
11 opportunities for current employees.

12 At this point I would like to highlight some of  
13 our accomplishments over the past year in the context of the  
14 agency's guiding principles for Equal Employment  
15 Opportunity. First, relative to creating a working  
16 environment that is free of discrimination, we have  
17 appointed four new EEO committee representatives and new EEO  
18 counselor during the past year. All of these individuals  
19 have attended the formal EEO training. I meet with the EEO  
20 committee quarterly to discuss current issues and concerns,  
21 and in late May we presented two sessions of the Sexual  
22 Harassment Prevention Training. Region IV currently employs  
23 two disabled employees, both of whom earned promotions in  
24 Fiscal Year '98.

25 Second, ensuring that agency policies provide all

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1 employees the opportunity to compete fairly and equitably.  
2 In early Fiscal Year '98, the Region presented the course  
3 entitled "Effective Management Participation in Merit  
4 Staffing" to all supervisors and managers, and during our  
5 December 1998 management retreat, concern about the  
6 appearance of pre-selection was a major topic of discussion.

7 In order to address this concern, we have recently  
8 undertaken a number of specific initiatives. We have  
9 written an article for the popular Region IV newsletter,  
10 "The Round-up," which describes the merit selection process  
11 in plain English. I personally appoint the rating panels  
12 and assure that they are reflective of the agency's  
13 diversity to the extent possible.

14 We have expanded the use of panels when otherwise  
15 not specifically required in order to increase staff  
16 exposure to the rating process. We work to avoid the  
17 perception of pre-selection by interviewing every candidate  
18 on the best qualified list for every position in Region IV.  
19 Selecting officials are required to explain to me the  
20 business rationale for each selection made. Finally, the  
21 selecting officials personally notify the non-selectees and  
22 are available to present, as fully as the unsuccessful  
23 candidate desires, the basis for the selection that has been  
24 made.

25 Just last week, we presented specialized training

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1 for interested employees which clarified the merit selection  
2 process and highlighted the checks and balances which are  
3 built into the process. Since we have many new employees,  
4 this provided an opportunity for all to ask questions and to  
5 understand the process.

6 Third, employing and empowering a competent and  
7 highly skilled work force. Region IV has had significant  
8 recruit challenges over the past few years. In an effort to  
9 improve the diversity of our work force, we have targeted  
10 some of our recruitment efforts at schools and activities  
11 which typically attract minorities. Specifically, we have  
12 participated in the Hispanic Engineering National  
13 Achievement Awards Conference, career fairs at the

14 University of New Mexico, Texas A&M, Prairie View A&M, and  
15 the Society of Hispanic Professional Engineers.

16 The SRM from the last EEO Commission meeting  
17 requests supervisors to, where appropriate, promote from  
18 within the agency. Region IV has made a serious commitment  
19 to this by establishing three upward mobility positions  
20 within the last year. These positions include a management  
21 analyst, a procurement agent and a budget and finance  
22 analyst. All three selectees were female and one was a  
23 disabled female.

24 Eight Region IV supervisors and managers have or  
25 are participating in a formal mentoring program mentoring 13

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1 employees. The second mentor/mentee training session was  
2 conducted in Region IV in late September.

3 Fourth, recognizing, appreciating and valuing  
4 diversity. Awards in Region IV are decided by a diverse  
5 Awards Committee chaired by me. The value placed on  
6 contributions of women and minorities to the Region IV team  
7 is particularly apparent in the nominees for this year's  
8 meritorious and distinguished awards. Of the 10 nominees  
9 sent forward from Region IV, seven were women, one was a  
10 Hispanic male, with the agency selectee for Senior Resident  
11 Inspector of the Year and Region-based Inspector of the Year  
12 both being women from Region IV.

13 In 1998, we presented 91 awards to Region IV  
14 employees, 33 going to women, three to African-Americans and  
15 six to Hispanic individuals.

16 Finally, we work hard at communicating effectively  
17 at all levels of the organization to facilitate staff  
18 development and to avoid the perception of pre-selection in  
19 our staffing decisions. I address the entire staff every  
20 month to discuss current issues and I meet with one division  
21 separately each month to answer questions and to address  
22 employee concerns. The division directors and branch chiefs  
23 hold frequent formal meetings to further assure that issues  
24 and concerns can be brought forward in a supportive  
25 environment.

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1 While Region IV has achieved good results from its  
2 efforts over the past five years, there is still substantial  
3 work to be done. One of the 10 fundamental principles which  
4 we have embraced in Region IV is to select the best person  
5 for the job. We have been successful by adhering to this  
6 principle and will continue to follow it as we develop a  
7 capable, competent and diverse work force.

8 Thank you for giving me this opportunity.

9 MS. NORRY: Thank you, Ellis. I would just note  
10 that the Region IV initiative to explain and to educate  
11 about the merit selection process is something that we view  
12 as a very positive initiative and one that we would hope  
13 could spread elsewhere.

14 Finally, Ray Holt will now speak on behalf of the  
15 EEO Advisory Committees. Ray.

16 MR. HOLT: Thank you, Pat. I say good morning to  
17 all.

18 First things first, the Advisory Committee  
19 Chairman asked that I extend a sincere congratulations to  
20 you, Chairman Dicus. We were a little unsure as to who  
21 would be our leader and there have been many changes within  
22 the agency, and changes at this table, and so we did not

23 want to start over. So, congratulations, again.  
24 CHAIRMAN DICUS: Thank you.  
25 MR. HOLT: We have been working hard with SBCR and

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1 HR and our message also was the reorganization. We work  
2 very well together. We have a pre-brief with the EEO and I  
3 say to you that your program for EEO -- and I haven't had  
4 anyone in my peer group in the committee say anything  
5 different. I think the way we do it, we do it well. And  
6 there is something that you probably could get Jesse to do,  
7 an inter-agency agreement, and we can make some money on  
8 this.

9 [Laughter.]

10 CHAIRMAN DICUS: That sounds good.

11 COMMISSIONER MERRIFIELD: I like that idea. A  
12 profit-making center, that is good.

13 MR. HOLT: We can't teach agencies to work at it  
14 as hard as we work, but I think we have a real good package  
15 here.

16 The number of issues that we have brought here  
17 have been discussed previously, and, again, I am speaking  
18 from my joint statement. This is a statement that we sent  
19 to SBCR and this is a hard act to follow because we are  
20 coming in behind all the answers.

21 The Staff Requirements Memo that came out from the  
22 last briefing, we thought it was an excellent document  
23 because it did have a mandate. It said that you will do  
24 something, and that something was take diversity training.  
25 We looked at it and we said that that is the way that we are

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1 looking for Staff Requirements Memos to direct staff or  
2 managers to do their -- I say the jobs that they are paid  
3 for. It was an excellent memo, we thought.

4 Again, our concern was the downsizing and  
5 reorganizations. There were a lot of missed opportunities.  
6 We saw this once before, I would say in the reorganization  
7 of OCIO, there were some missed opportunities.

8 The agency profile, as we see it, it says that  
9 nothing has changed, but something has changed. If you look  
10 at it closely, what has changed is the fact that people have  
11 been impacted, and those positions that were lost in  
12 managers, supervisors and/or team leaders, you may not get  
13 those back for five years or more. It works that some  
14 attrition has to take place or some reorganization, again,  
15 has to take place, but when you lose positions, it is a  
16 significant impact on people.

17 The briefing paper on page 6 does reflect what I  
18 am saying, and I think everyone in the audience needs to  
19 have one of these packages and read it. The package is an  
20 excellent package, it gives out a lot of information.

21 There is very significant trends. Well, let me  
22 back up. Let me back up for a minute. Again, I say that  
23 women and minorities took a drastic hit. There are some  
24 organizations within NRC that are trying to do -- I am not  
25 -- I would say provide leadership. But then I ask myself

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1 the question, is it leadership or is it reactionary? The  
2 committees have come to me and they have told me that there  
3 is a plan that has been accepted in NRR to assist the Asian  
4 community in doing more to get into management. And I ask  
5 myself the question, I say, is this the organization that is

6 going to provide leadership to the other offices within NRC  
7 or are they being reactionary?

8 We look at the opportunity for the agency, with  
9 the new candidacy for the SESs to have a very diversified  
10 group go into that candidacy. It is an opportunity, and I  
11 would like very much -- or we would like very much to have  
12 you take that opportunity and I would say make some  
13 corrections, or, let's say, present some opportunities.

14 Some of the things that we have seen happen, and  
15 we think they are very, very well done, we have talked a  
16 long time about the SESs and the accomplishments to be made  
17 in the performance of EEO. Pat Norry's memo of May 23rd, we  
18 felt was an excellent memo, and when we look at the briefing  
19 paper, the briefing paper supports that effort.

20 We talked long ago about increasing the women and  
21 minorities in the SES ranks, and we looked back -- I would  
22 say since 1997, we have seen at least three minority women  
23 come into the SES ranks, which we think there is  
24 progressiveness going on in that area.

25 We would like to see strengthening, a

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1 strengthening of the upward mobility and also a vibrant  
2 rotational program. The committees have some ideas about  
3 this. We did not present them at this briefing, but we are  
4 looking at them bringing them to the table at the next  
5 briefing.

6 Asian and Pacific, Native Americans, as has been  
7 pointed out, suffered a major, I would say, setback or  
8 impact in the reorganization. Again, that organization has  
9 -- NRR is the organization I am speaking to -- has shown  
10 some leadership in doing something to make a right -- a  
11 wrong, right. And I say wrong, someone else may say that  
12 these were management decisions. But NRR, in its  
13 leadership, I am going to be positive and say this is a  
14 leadership effort from NRR, they can demonstrate what they  
15 are doing to the other organizations. In fact, in the  
16 candidacy program, SES candidacy program, it is my  
17 understanding that they pulled together all of their persons  
18 who had eligibility and provided them with a workshop as to  
19 how to. I have not seen that or heard that from any  
20 organization. I thought that was very positive, or we, as  
21 the committee, thought that was very positive.

22 Although not an issue, we believe that NRC  
23 management should be concerned about the loss of older and  
24 experienced staff members. I think this has been brought to  
25 the table before. Our CAD group talks about succession

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1 planning, and that there needs to be some type of succession  
2 planning to retain the knowledge that the older members of  
3 NRC who leave, take with them and do not leave here with the  
4 organization.

5 The Advisory Committees, we appreciate this  
6 opportunity that the Commission gives us and the attention  
7 that you give to our concerns. We are hoping that our  
8 future efforts together will be those of a positive nature.  
9 We will not always agree, and it is not the Commission, it  
10 is SBCR, we will not always agree, but we do a very good job  
11 of working together, a very good job. And we thank you for  
12 this opportunity.

13 MS. NORRY: Thank you, Ray.

14 This concludes our prepared statements. We are

15 ready to take your questions.  
16 CHAIRMAN DICUS: Okay. Thank you. I am going to  
17 start with two quick ones and then I know my fellow  
18 Commissioners have several points they would like to make,  
19 or questions to ask, so I will give the bulk of the time to  
20 them.

21 One thing I have wanted to get into a little bit,  
22 and maybe a succinct answer would do it, but what else can  
23 be done to increase the number of minorities and women in  
24 the SLS ranks?

25 MR. BIRD: I think there, you know, there is a

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1 focus in SL on finite skills. Certainly, it is not the same  
2 development that would be available for people that are  
3 trying to broaden out and get into managerial positions.  
4 But we know clearly what those jobs entail that have been  
5 established as SLS positions. If you look at those fields,  
6 I think, as you would prepare your career, you could  
7 certainly look at that as windows of opportunity to take  
8 developmental courses to interaction with people who are  
9 pursuing those relatively narrow position duties, and work  
10 with us to align to be able to do that. This is more of an  
11 individual effort than it is a group effort, I believe.

12 MS. NORRY: But even though it is an individual  
13 effort, I think there is some -- several people have asked  
14 about this, and I think there is something more we could do  
15 by way of -- similar to what we do to encourage people in  
16 the SES program, to kind of give people some advice on how  
17 they might qualify for some of these specialized areas. So  
18 we will take a look at that.

19 CHAIRMAN DICUS: Okay. Thank you.

20 MR. BIRD: Certainly, that information on those  
21 positions is available to anyone who would be interested in  
22 pursuing senior level opportunities.

23 CHAIRMAN DICUS: Okay. Thank you. I appreciate  
24 the comments about the impacts that we are having on  
25 employees with disabilities from Region IV, but agency-wide

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1 there was no discussion regarding employees with  
2 disabilities. So could you give me a little bit of input on  
3 what the impact has been on our downsizing, et cetera, with  
4 our employees with disabilities?

5 MS. LITTLE: The major area that we look at is the  
6 ability of the agency to accommodate disabled employees, and  
7 there was no, although there were budget reductions, there  
8 was no impact on our ability to accommodate requests to do  
9 physical modifications, et cetera, for disabled employees.

10 There were a couple, and I don't have all the  
11 statistics in front of me, of disabled employees that may  
12 have moved from the managerial ranks to non-managerial ranks  
13 in the process, but the impact in that area was fairly  
14 minimal.

15 MS. NORRY: We don't have those statistics, but if  
16 you are interested, we could provide them. To the extent  
17 that we have them, you understand the difficulty there, we  
18 don't have all the statistics.

19 CHAIRMAN DICUS: Right. I do understand.

20 MS. NORRY: Okay.

21 CHAIRMAN DICUS: But to the extent you have some,  
22 I think it might be useful.

23 MS. NORRY: Okay.

24 CHAIRMAN DICUS: Okay. With Commissioner Diaz's

25 blessing, we are going to switch a little bit and start with

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1 Commissioner McGaffigan. I think we have got sufficient  
2 time for several rounds of questions and follow-up, so why  
3 don't you start out in the next five minutes or so.

4 COMMISSIONER MCGAFFIGAN: Okay. Let me just ask  
5 some questions about the intern pool and the new hire pool.  
6 How many people turn us down? Of the people -- or do you  
7 know when you make an offer the person is going to accept it  
8 before you make the offer?

9 MR. BIRD: I don't know, you know, specifically,  
10 how many have turned us down. I do know that in areas where  
11 we have tried very, very hard to increase our diversity,  
12 particularly with the Hispanic offers that have been made,  
13 we are probably about 50-50 in terms of acceptances of those  
14 offers. What is not represented in your data is that there  
15 have been two acceptances after May 30th, with Hispanic  
16 employees particularly, that I think are, you know, very  
17 good efforts to pursue actively and aggressively those  
18 recruitments.

19 But it is highly competitive. Again, focusing on  
20 entry level is to me the key to improving the overall  
21 diversity in the agency, and the commitment and the focus  
22 there will have that payoff. We tend to do well when we go  
23 to campuses, when we actually have a very aggressive  
24 recruitment program for entry level, in getting minority  
25 representation, in general.

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1 If you look at your data in the book, back in the  
2 '96 timeframe, for entry hires, you will see fairly good  
3 representation and diversity represented in those numbers.  
4 In that particular timeframe, NRR was running a very active  
5 intern program and a very active intern recruitment, the  
6 regions were participating in that, and we got a payoff.  
7 Since then, because of downsizing, we have done less  
8 recruitment at entry level and we have had less success. So  
9 I think if there is any message that I can present to the  
10 Commission, it is encourage and commit some resources back  
11 to those types of programs which have the payoff.

12 But it is very competitive, highly competitive  
13 market, particularly for Hispanics. There is nine point OPM  
14 recruitment program, based on 95 percent of the federal  
15 agencies are under-represented in that population, and so we  
16 are all competing with each other. So turndowns have been  
17 predictable. I think, again, we can start to track that  
18 data and see where that occurs, but we have had a tough time  
19 in that market, along with everybody else. I don't know  
20 that it stops with Hispanics, but that one has been very,  
21 very difficult.

22 COMMISSIONER MCGAFFIGAN: I am just struck by the  
23 data on the intern program where you choose five or six  
24 people a year from over 200 applicants, that that -- I mean,  
25 do you have any turndown data as to people in the intern

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1 program that you could give us?

2 MR. BIRD: Yes, I think we could generate that.

3 COMMISSIONER MCGAFFIGAN: So of the 206, not all  
4 of them are real, in that when we get around to offering  
5 them a job, many of them have disappeared, is that the case  
6 or not? I am just asking, I don't know.

7 MR. BIRD: I don't know that all of them have  
8 disappeared but certainly there are cases when we are at a  
9 point of making an offer, the person has three or four  
10 offers in hand.

11 COMMISSIONER MCGAFFIGAN: Okay.

12 MR. BIRD: And that is the market. That is what I  
13 am talking about in the competition. We are one of a number  
14 of organizations, public and private, that are making offers  
15 to the same individuals, particularly in the engineering and  
16 science communities.

17 COMMISSIONER MCGAFFIGAN: How much flexibility do  
18 you have in terms of entry pay? And I know we have a lot of  
19 flexibility. I am not sure we have as much as, say, maybe a  
20 China Lake or Naval Oceans Systems Center or some of those  
21 pay bandit agencies.

22 MR. BIRD: With entry level, we have a good deal  
23 of flexibility within ranges of pay. We are very careful  
24 not to extend that wherein we might be paying people who  
25 just got here more than people who are working hard here

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1 previously. But within parameters, we do have flexibility  
2 that other federal agencies may not have, and we take full  
3 advantage of that flexibility.

4 Also, we go back every year and look at our entry  
5 salaries to see how they compare with public and private  
6 competitors, and we will periodically update and refine  
7 those parameters, the pay parameters, so that we are  
8 competitive. So, you know, in the ballpark, we don't always  
9 win. And particularly when we are competing with private  
10 sector, we will get to a point where, for the reasons I just  
11 explained, we are not willing to make a higher offer against  
12 a backdrop where a private employer would keep ratcheting  
13 up. And it is sort of like a daisy chain, we go back and  
14 forth in many cases competing for the same individuals. And  
15 there is a lot of interaction in the government competing  
16 with itself now, in the federal government.

17 CHAIRMAN DICUS: Commissioner Merrifield.

18 COMMISSIONER MERRIFIELD: Yes, I have got a couple  
19 of comments first and some questions. Originally, as the  
20 Chairman and the other Commissioners are aware, I didn't  
21 expect to be here today.

22 CHAIRMAN DICUS: No baby?

23 COMMISSIONER MERRIFIELD: No. For the staff's  
24 benefit, my wife was due with our third child yesterday and  
25 my wife is patiently sitting at home.

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1 CHAIRMAN DICUS: But we have cut out two weeks in  
2 the next two weeks for this baby.

3 [Laughter.]

4 COMMISSIONER MERRIFIELD: I understand that.

5 MR. BIRD: We are ready to recruit, so --

6 [Laughter.]

7 MR. BIRD: With competitive pay.

8 COMMISSIONER MERRIFIELD: Well, since this will be  
9 my first daughter, balancing out my two sons, I am bringing  
10 diversity to our own family, and some relief to my  
11 embittered wife.

12 [Laughter.]

13 COMMISSIONER MERRIFIELD: Anyway, to get to the  
14 more important --

15 CHAIRMAN DICUS: You only have five minutes, you  
16 know.

17 [Laughter.]  
18 COMMISSIONER DIAZ: He had.  
19 COMMISSIONER MERRIFIELD: On this round.  
20 [Laughter.]  
21 COMMISSIONER MERRIFIELD: A couple of things I  
22 would like to focus on, Irene. One of the most important  
23 things that you said, and I want to underscore it because I  
24 think it certainly underscores my own before, you have  
25 mentioned a couple of times how employees are our most

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1 valuable resource. I mean we are a resource driven agency,  
2 and that is true, and I agree. I couldn't agree with that  
3 more, that that is indeed the case.  
4 Mr. Holt, I have to say I thought that was very  
5 positive comments on your regard to the extent that the  
6 groups that you represent feel that we are going in the  
7 right direction, that says an awful lot about what we are  
8 doing. And I know you are thinking about coming up with  
9 some new ideas. You know, work on that as quick as you can.  
10 I think the sooner we have that, the sooner we can give that  
11 to Irene and Pat and others, the sooner that we can think  
12 about that as a Commission. So I would encourage you to do  
13 that.  
14 On the comment that Ellis Merschhoff made on  
15 promotion within the agencies, as many of the folks here  
16 know, during the last meeting, that was an area that I  
17 focused on in my comments. I think it is very important for  
18 us to continue those efforts. To the extent you may have  
19 created a model in Region IV, I certainly think we should  
20 encourage the other regions and certainly here at the  
21 headquarters to model ourselves against that, because I  
22 think, again, since we have a most valuable resource  
23 already, doing our best to exploit that in a positive way is  
24 I think vital.  
25 In terms of my first question, in going through

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1 the slides, I noticed that the work force profile tables  
2 that are on page 4 and 5 show roughly the same distribution  
3 in percentages of minority employees in manager and  
4 supervisory positions as they do in SES positions. The  
5 problem that I observe is with a similar distribution  
6 pattern, this will eventually lead to a continuation of  
7 where we are right now. I mean obviously you look at  
8 manager, supervisory persons to move into the SES positions,  
9 and to the extent that you have the same level and  
10 distribution of minorities and women, that creates a  
11 problem, and the problem is having an appropriate pipeline  
12 so that we can do more to increase individuals in those  
13 positions who have the requisite qualifications.  
14 So my first question to you is, what are we doing  
15 in general to improve this pipeline so that so that we will  
16 have new minority employees to move into management,  
17 supervisory, SLS and SES positions?  
18 MS. NORRY: I think there are a number of aspects  
19 of Human Resources strategy that we are taking a look at.  
20 We did the big thing, we came down, we reduced very large  
21 numbers in SES and now we are saying, okay, where do we go  
22 from here as an agency? We don't anticipate increasing our  
23 number of SES in the near term future, absent some new  
24 mandate for the agency that would require it.  
25 We believe that we did some things in the lower

1 level managerial ranks such as the creation of more team  
2 leaders, which is another area that allows for some  
3 development into future managers. We are, as you know,  
4 looking at succession planning, that is a part of our  
5 strategy. We are starting at the top, but that has to go  
6 down further. What will feed into that is the candidate  
7 program.

8 So all of these things are a piece of a strategy,  
9 and Paul is working on an overall Human Resources strategy  
10 for the next five years, and all of those are pieces of it.  
11 So we know we have work to do and, obviously, the EEO  
12 profile will be a part of our consideration.

13 MR. BIRD: If I could just add something to that,  
14 previously, when we had our SES candidate development  
15 program, we also had a program, a formal program for the  
16 development of new supervisors, lower level supervisors.  
17 Now, that was a very successful program in my opinion, and  
18 some of the people in this room and throughout the agency  
19 who have participated in that now have moved into leadership  
20 positions.

21 There is a point in time where we may want to go  
22 back and look at that. Again, we have been in this  
23 reduction mode of supervisory positions for some time now.  
24 I would recommend that at some point we may want to go back  
25 and revisit that. That program was basically a fairly

1 long-term program, but in the end, I think people that were  
2 moving into those supervisory positions were very well  
3 prepared, which is relative to participating in that, to be  
4 a viable resource to the agency. And we are looking at  
5 that. You don't want to have that occur and not have  
6 positions available when people are available to move into  
7 supervisory positions. But that is a factor I think that  
8 would help answer your question.

9 COMMISSIONER MERRIFIELD: Okay. I think it is  
10 important to go through the steps in the process to make  
11 sure we get the pipeline working.

12 MR. MERSCHOFF: If I can add one thought to that.  
13 There might be a light at the end of the tunnel, at least in  
14 Region IV, when I look at the branch chiefs, which are the  
15 feeder group, the pipeline for SES. We have three women  
16 branch chiefs and two Hispanic men branch chiefs, which is  
17 substantially more diverse than our current SES staff in  
18 Region IV. When you look below it, the senior residents and  
19 the residents, women and minorities are represented in those  
20 groups as well.

21 COMMISSIONER MERRIFIELD: Two quick ones and then  
22 I will pass on this round. The first one is a comment. I  
23 am pleased, I noted the comments were made earlier about  
24 posting new positions on the web site. This is an idea that  
25 was raised by one of my staff members in the pre-brief I had

1 here, and I am pleased to see that the staff is considering  
2 going with that. I think that is a good idea in keeping  
3 people fully notified of that. I think it is helpful.

4 In the briefing, there was a comparison made  
5 between our losses of these employees with those of NASA,  
6 EPA and DOE. I noted that -- I noticed that with DOE, it is  
7 a higher percentage of minorities who are leaving. That is  
8 an agency which is certainly under a great deal of stress

9 and strain, but it is nonetheless a very large agency. To  
10 what extent have we thought about perhaps trying to attract  
11 more of those folks here, in terms of trying to recruit away  
12 from DOE, given the high degree of uncertainty in  
13 reorganization in that agency? I use -- for example, have  
14 we worked with Advisory Committees to perhaps see if there  
15 are equivalents with DOE and see if we can get some work  
16 there to try to encourage them to come and join us? Any  
17 thoughts on that?

18 MR. BIRD: Yeah, it is kind of interesting because  
19 we spend a lot of time with DOE. In fact, the Director of  
20 Human Resources was here and we were over there talking  
21 about this when they were doing their serious downsizing.  
22 We looked at a lot of applicants, several hundred applicants  
23 that they made available to us. We found that many of those  
24 applicants were in the environmental side of DOE and were  
25 not really good fits with NRC, and they have done less

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1 downsizing in the areas that we were interested in. So we  
2 didn't get a lot of results from that. We did hire some.  
3 And I think we will continue to focus and work with DOE in  
4 that regard.

5 We don't want to raid them particularly, but that  
6 may be fair game in the future.

7 COMMISSIONER MERRIFIELD: May I make a comment on  
8 that, and this is my less comment, I will pass. I have  
9 worked in government long enough to realize that when  
10 someone is suggesting to you that you ought to hire this  
11 person, you sort of raise the question, you say, what about  
12 the one you are not suggesting to me? And perhaps we should  
13 think about more aggressive outreach efforts with our fellow  
14 agencies.

15 MR. MERSCHOFF: If I can add one thought, I swore  
16 in on Monday a DOE employee that we brought on board in  
17 Region IV, and this year we have brought in three DOD  
18 employees, so we are looking.

19 DR. TRAVERS: You don't consider yourself a  
20 raider?

21 [Laughter.]

22 MR. MERSCHOFF: Maybe for DOD.

23 CHAIRMAN DICUS: Commissioners Diaz.

24 COMMISSIONER DIAZ: Thank you. I have something  
25 in the same lines as Commissioner Merrifield, but I probably

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1 will make it a little broader. If we look your slide number  
2 5, and even more precise, at Table A on SECY-99-190, there  
3 is the stark result that there has been no improvement since  
4 1995 to the present in our diversity work force. And I  
5 understand and realize the complexity of the issue and how  
6 you have provided a series of happenings that have made this  
7 acceptable, in other words, the downsizing, the changes that  
8 have taken place in the agency. However, I still am not  
9 happy with the fact that it is flat, because there is a  
10 saying, and I am going to say it is Spanish, it is the only  
11 phrase in the Spanish language that is shorter than in the  
12 English language.

13 [Laughter.]

14 COMMISSIONER DIAZ: And it says, "Rio ruelto  
15 ganacia de pescadores." It means when the river is in  
16 turmoil, when things, you know, are changing, the good  
17 fisherman fishes, the good fisherman finds what he wants.

18 Okay. And in all this turmoil and in all of these things, I  
19 keep hearing that there were opportunities that were missed  
20 -- and opportunities that were missed -- and opportunities  
21 that were missed.

22 Let me give you my interpretation of Equal  
23 Employment Opportunity, it is that program that minimizes  
24 opportunities that are missed. It is that program that goes  
25 after everything so that no opportunity that can possibly be

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1 taken advantage of, be taken advantage of. And I am  
2 concerned that in the acceptance of the turmoil, we still  
3 are not striving to get better. And I believe that we can  
4 get better.

5 Now, in that, with that simple statement and my  
6 Spanish phrase in between, let me ask you a question. Do  
7 you receive enough support from the Commission for the EEO  
8 program?

9 MS. NORRY: Oh, yes. I believe that in each case  
10 the SRMs that have come out of the briefings have been --  
11 have led us in directions that are positive. I believe that  
12 Irene's programs have been supported in the budget, and we  
13 don't have any problems with that.

14 I think what we need to do is continue the  
15 emphasis on the fact that EEO is not Irene Little's program,  
16 it is an agency-wide need to commit, and that starts with  
17 the Commission, as you point out.

18 Let me just say just two things, and then Irene  
19 may have something in response to your point. The  
20 maintenance of the diversity throughout all the turmoil  
21 didn't just happen. I mean that required a considerable  
22 amount of work, in calling the attention of the senior  
23 managers to the fact that we needed to do that. And Irene  
24 and her staff put a lot of effort into that. So just to  
25 keep the status quo, with which we are not satisfied, but

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1 just to do that, required quite a bit of effort.

2 And secondly, to just repeat something I said  
3 earlier, which is that really the only way we are going to  
4 have an impact on proving those numbers is through more  
5 entry level hiring, and we are going to have work with the  
6 offices to get that done.

7 Irene, do you want to --

8 MS. LITTLE: Yes. Commissioner, I must go on  
9 record of saying if there was an indication that I felt  
10 pleased with maintaining the status quo, let me render that  
11 null and void. We are not pleased with the status quo. We  
12 are pleased that we did not lose ground as we went through  
13 the downsizing.

14 I think realistically, when we look at tradition,  
15 especially in an agency like this, this agency was at one  
16 point predominantly male. And when you downsize, the  
17 tendency sometimes is the last to come in are the first to  
18 go out. That is just how the process sometimes works. And  
19 we were monitoring that very closely to make sure that there  
20 was no disparate impact on any group, and we do feel very  
21 happy that we didn't see any pockets of disparate impact.

22 Where there some opportunities that we could have  
23 taken advantage of there? There may have been. And we are  
24 still working with the managers and with the committees to  
25 try to find those and improve. We are not pleased with

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1 where we are.

2           There were some things that happened, though,  
3 during the downsizing, like the number of recruitment trips  
4 were cut. So we sat down with HR and identified those that  
5 we thought would give us the most return on the efforts we  
6 were putting forth. And just the fact that you cut down on  
7 recruitment, when you go out into the college scene -- I  
8 have a daughter who is recruiting at this point, if there is  
9 any indication that this agency doesn't have a lot of  
10 recruitment opportunities or promotional opportunities, the  
11 college students look at the ones where there is growth.

12           So it has been a challenge I think for the  
13 agencies, for managers to do what we have done. But we  
14 certainly are not sitting back on our laurels at this point  
15 at all. We are working very closely with HR to move forward  
16 now that we think we are down at the level where we are  
17 going to be. I don't know if we will continue to go down, I  
18 don't know that. But we certainly need to now beef up on  
19 our programs to replenish the pipeline, those at lower  
20 levels, and our work force in general.

21           COMMISSIONER DIAZ: Okay. Thank you. On the same  
22 line, I ask if the Commission has given you the proper  
23 support and you answered yes, if the upper management giving  
24 you the proper support?

25           MS. NORRY: Yes. I believe they are. We are

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1 putting increased emphasis on judging SES managers on their  
2 EEO support. In fact, we are probably going to take a look  
3 at whether we can put some more meat around the bones of  
4 that in the performance plans of SES managers and, you know,  
5 give us -- not that we are -- that we are not already  
6 looking at that, but I think we could probably make that a  
7 little bit stronger. But I believe that we do not miss too  
8 many opportunities to engage upper managers.

9           I think on this hiring at the entry level, that is  
10 one were the benefits to the agency will be more than just  
11 EEO. I mean we will, if we can do more entry level hiring,  
12 we will bring our -- I will get Jesse off my back because we  
13 will bring our personnel costs down. And so, that, you  
14 know, that will be a long-term benefit there.

15           But, yes, I think if you ask any office director  
16 or regional administration, they are very much aware of the  
17 need to support EEO.

18           COMMISSIONER DIAZ: Very good. And in an effort  
19 not to discriminate, does the middle management provide you  
20 with appropriate support?

21           MS. NORRY: Well, I believe that middle management  
22 is being -- they are the ones who have to make many of the  
23 decisions that upper management are being held accountable  
24 for. So, I would say that just EEO, as well as other areas,  
25 the upper managers are seeing to it that the mid-level

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1 managers are helping them accomplish their goals.

2           DR. TRAVERS: If I could just add something.

3           COMMISSIONER DIAZ: yes.

4           DR. TRAVERS: Not so pointed at middle management,  
5 but management in toto, if I may. I think we are committed,  
6 I think we recognize the challenge in EEO's space, I mean  
7 the numbers reflect the challenge that we faced in a period  
8 of significant initiative, downsizing and so forth.

9           I think what you heard in terms of some of the

10 programs that we have discussed today are a recognition of  
11 some of what may be opportunities missed, not just by us,  
12 but perhaps by individuals who felt, for one reason or  
13 another, the course of some of these changes, that they  
14 either weren't fully accessible to some of these positions  
15 and so forth, or that a lot of the initiatives that we have  
16 talked about today are geared not only to entry level, which  
17 we think we should emphasize, and which we think provides a  
18 certain opportunity to develop a viable, larger pool of  
19 candidates in the minorities, but, also, to mentor and work  
20 with the existing staff.

21 You know, in the course of downsizing in a number  
22 of the initiatives, we have heard concerns expressed, you  
23 may hear some more today about how selections were made, or  
24 whether opportunities were missed. One of the things we can  
25 do there, and a number of the programs that you have heard

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1 about today involve mentoring those people, working with  
2 them to demonstrate how effective packages can be put  
3 together and so forth. So it is a multi-faceted thing.

4 I think management is very cognizant of our  
5 objectives. In every office's operating plans, we have  
6 objectives for EEO. We have it built in every SES manager's  
7 contract. It doesn't mean we are satisfied with where we  
8 are. We recognize the challenge, but we think in the  
9 overall, management is quite sensitive to this issue.

10 COMMISSIONER DIAZ: Because the overall EEO is not  
11 just a program office, it is an agency commitment.

12 DR. TRAVERS: Absolutely.

13 COMMISSIONER DIAZ: And it has to permeate through  
14 all of the structures, and unless everyone, at every level  
15 that has influence and impact on hiring and promotion has to  
16 be a part of it. If not, it just won't work, it will remain  
17 flat, and we don't want it flat. Thank you.

18 CHAIRMAN DICUS: Okay. On these recruitment trips  
19 that we go out on, particularly with the new recruiter that  
20 you mentioned, Mr. Bird, do we, on these trips, do we have  
21 the capability to interview and, depending upon the person  
22 and the interview, hire on the spot?

23 MR. BIRD: We have done that in the past, we have  
24 not that of late. At one point when we were doing very  
25 active entry level hiring, and we had active positions to

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1 commit to, we would go out, the HR people and some of the  
2 regional personnel officers, with the manager to a  
3 particular campus or to a particular job fair with the  
4 intent of making on the spot offers. We have not done that  
5 lately.

6 Again, in the downsizing, the concern has been  
7 limiting hiring, and it has a particular impact on entry  
8 level hiring and intern programs, which have been in the  
9 last couple or three years sort of a casualty to that. But  
10 to the extent those positions are established well in  
11 advance and we can orchestrate that, we have been very, very  
12 successful in being able to go to a particular site with an  
13 entry level hiring goal in mind and actually compete against  
14 very heavy competition successfully, because people many  
15 times will want to commit on the spot and that works, but it  
16 has to be planned and organized. And you certainly can't go  
17 to a campus with that in mind, if you don't have the  
18 position to back it up. And so I think, again, what I was  
19 mentioning earlier, that commitment to do that is very, very

20 important to this agency and to this program.  
21 CHAIRMAN DICUS: Okay. Thank you.  
22 Commissioner McGaffigan.  
23 COMMISSIONER MCGAFFIGAN: I was just doing some  
24 arithmetic while Commissioner Diaz was talking, and one of  
25 the things that struck me is, of the people who are here

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1 today, at least 2419 of the 2866 were here five years ago.  
2 I say at least because we hired, according to the tables, we  
3 hired 447 people, if all of them are still here. So that  
4 sort of tells you what your turnover is over a five year  
5 period.

6 And to go to Mr. Holt's point, we are 295 down, if  
7 we have replaced 447, which is the maximum, some people from  
8 that five year pool may have left, we are down sort of 700  
9 people, which is a quarter of our work force compared to  
10 five years ago, you know, with turnover. We have replaced a  
11 quarter of our work force -- well, we haven't replaced them,  
12 we have a lost a quarter of our work force, we have replaced  
13 on a 2 for 3 basis.

14 So I think it tells you, you know, that there is a  
15 ship that sails ahead and we have a fair degree of stability  
16 and the opportunity comes, as I think Pat has said, from the  
17 new hires.

18 When I look at the Table E data, the hires in the  
19 paper, that is not just entry. In fact, as I understand it,  
20 a small percentage of, say, in 1998, the 116 hires, a  
21 relatively small percentage of that entry level and a lot of  
22 the rest of it is replacements.

23 MR. BIRD: It varies from year to year, but that,  
24 as a general statement, that would be true.

25 COMMISSIONER MCGAFFIGAN: Can you tell me

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1 approximately what percentage is entry?

2 MR. BIRD: I really couldn't do that off the top  
3 of my head, but we can certainly look at that.

4 MS. LITTLE: I can get that information for us.

5 COMMISSIONER MCGAFFIGAN: Okay.

6 MS. LITTLE: If I could respond to that, in the  
7 back of your data, there are the grade levels of some of  
8 the --

9 COMMISSIONER MCGAFFIGAN: At the very back of  
10 this?

11 MS. LITTLE: Yes, the paper.

12 MR. BIRD: In one of the data charts.

13 COMMISSIONER MCGAFFIGAN: I won't try to go  
14 through it.

15 MS. LITTLE: Yes, in the data charts you will see  
16 actions at each grade level. It is chart --

17 COMMISSIONER MCGAFFIGAN: Actions includes hires?

18 MS. LITTLE: Yes. Non-SES competitive selections  
19 I believe start on Chart 5 or 6 -- Chart 5.

20 COMMISSIONER MCGAFFIGAN: Is that the same as  
21 hires? Non-SES competitive selections is more promotions.

22 MR. BIRD: Yes, and reassignments.

23 COMMISSIONER MCGAFFIGAN: And reassignments. So  
24 it might be, you know, the opportunity clearly is in the  
25 hiring. It is the 447 people we have hired in the last five

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1 years, as of May 31st. When I look at that data and look at

2 trends compared to the current work force, there aren't a  
3 lot. One reason we are about where we are five years ago is  
4 that the percentage of folks is about the same. White  
5 females is a little higher. African-Americans are quite a  
6 bit lower than their present -- over the last years their  
7 percentage of the work force has been 12 or 13 percent, and  
8 never has the hiring been at that level.

9 So I would just be interested, you know, as I say,  
10 that is an entry level, but the hiring data is one part of  
11 why we are a fairly stable work force and, if anything, on  
12 the African-American side, there is, as I say, a five year  
13 trend where we have always been below the percentage. For  
14 others, it bounces around, you have a good year on  
15 Asian-Pacific-Americans, or a good year on  
16 Hispanic-Americans or a good year on  
17 Native-American-Americans, or white females, but over the  
18 last five years it looks like African-American males have  
19 been consistently under-represented, or African-Americans as  
20 a whole under-represented in the hires. Is that right? I  
21 mean do you benchmark yourself against the current work  
22 force? You know, at times you benchmark yourself against  
23 the previous year. But what is the benchmark on the hiring?

24 MR. BIRD: Well, certainly, we benchmark against  
25 the new hires, and, again, those data have changed as -- and

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1 I am sorry I don't have this with me, as the commitment to  
2 entry hiring has gone up, that data has gone up. When we  
3 have hired for higher level positions, largely, and, again,  
4 the Commission encouraged this last year, we are first  
5 looking to hire from within.

6 COMMISSIONER MCGAFFIGAN: Right.

7 MR. BIRD: And we have good candidates from  
8 within.

9 COMMISSIONER MCGAFFIGAN: So this hires also  
10 includes internal hires? I am misinterpreting the data. I  
11 thought the hire data in Table E were people coming from  
12 outside. Is it all hires, including internal?

13 MS. LITTLE: It is all outside. It is all  
14 outside.

15 COMMISSIONER MCGAFFIGAN: Okay. I guess, you  
16 know, there is hires and then there is the promotion  
17 process. I would like to see more information in the future  
18 about hiring, about turndowns, you know, percentage of  
19 people who take our offers, that sort of thing, just to get  
20 a sense of the data. I mean I am not going to try to  
21 micro-manage you folks, but a sense of what you are up  
22 against. You know, what the size of the pool is. The sort  
23 of data we have in great detail for the intern program, but  
24 when you advertise other positions and, you know, how well  
25 you do in just basic statistics. I think that would be

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1 interesting and might tell us -- might tell you --

2 MR. BIRD: One major disadvantage in that, we do  
3 ask applicants to self-identify ethnicity. We get some  
4 return on that. It is not a tremendous return, and many  
5 times we are disadvantaged in trying to say how many  
6 particular minorities applied in a given action, from the  
7 outside. We certainly have the data for inside, but that  
8 has been a little bit of --

9 COMMISSIONER MCGAFFIGAN: Well, you could just do  
10 best qualified. I mean Ellis, if you ever do adopt the  
11 program that Ellis has adopted in Region IV, where they

12 interview every best qualified candidate, I mean presumably  
13 you do the best qualifieds probably as a paper exercise, but  
14 then if you are interviewing all the best qualifieds, you  
15 could give us data on the best qualifieds.

16 MS. NORRY: I think in most instances that is  
17 done. That is done pretty widely agency-wide.

18 COMMISSIONER MCGAFFIGAN: So you have then pretty  
19 good data. I mean even if I don't self-identify, I show at  
20 the interview, you can probably put me in a box, if that is  
21 allowed, if there is not a law against it. Is there a law  
22 against -- Jeff knows whether --

23 COMMISSIONER MERRIFIELD: No, no. No, I know  
24 nothing about it.

25 MR. BIRD: I think, again, we have done, you know,

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1 some sight -- tried to do some sight identification and  
2 often we found out that we are not correct in trying to  
3 assume something, based on a name or based on a particular  
4 individual. But I would defer to Karen on whether that  
5 is --

6 COMMISSIONER MCGAFFIGAN: I will get out of this.

7 MR. BIRD: Certainly, it is something that we do  
8 try to get some data to reinforce that we are at least  
9 pointed in the right direction here, and I will see if I can  
10 get some additional data that would be available in that  
11 regard, particularly for entry hiring.

12 MS. LITTLE: One comment, Commissioner, on your  
13 statement, and that is, if we are going to improve our EEO  
14 statistics, it has to be a twofold approach. We need to  
15 make sure we are trying to do entry level hiring, that is  
16 where the diversity is, and then some things to train and  
17 maintain people to stay here.

18 COMMISSIONER MCGAFFIGAN: Right, retain them.

19 MS. LITTLE: Obviously, with the  
20 African-Americans, with their hiring rate being lower, their  
21 retention rate must have been higher in order to be retained  
22 at this rate. So we need to work from both ends of it, the  
23 hiring and retention.

24 COMMISSIONER MCGAFFIGAN: But that also means, I  
25 would just comment, it means we may have very good

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1 retention, but it may mean that there is this looming issue  
2 that at some people they are all going to be retirement  
3 eligible and suddenly you will have a large shift because  
4 you have good retention, but that particular part of our  
5 population is therefore aging more rapidly than another part  
6 of our population, and they all hit -- in the Navy they call  
7 it the block obsolescence problem with the ships. We don't  
8 call it -- but a lot of people get -- retirement looks  
9 pretty attractive.

10 MS. LITTLE: That's true.

11 MR. MERSCHOFF: If I can add one thought on  
12 recruiting at the entry level. We haven't had much success  
13 this year. We have gone to a number of fairs and minority  
14 schools. We have had a number of declinations. Oftentimes,  
15 the salary is a problem, but you can get close sometimes, as  
16 Paul said, with the flexibility. The problem is many  
17 companies offer signing bonuses and high school or college  
18 graduates don't often look years and years ahead, and with a  
19 \$5,000-plus signing bonus in front of them, and the student  
20 loans confronting them, and the current society's job

21 hopping type nature, as opposed to a lifetime employment  
22 with one company, it is awfully difficult to compete, and  
23 maybe there is an avenue for us in terms of signing bonuses  
24 that could help us compete, and maybe there is an avenue for  
25 us in terms of signing bonuses that could help us compete.

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1 MS. LITTLE: Interesting point.

2 COMMISSIONER McGAFFIGAN: Pat Norry is sitting  
3 there bemused. Is that an authority we have?

4 MR. BIRD: There is a recruitment bonus authority  
5 that is available to us. We can look at that again.  
6 Mostly, pointed at entry level hiring. I think it is  
7 something that we can use to enhance our competitiveness.

8 MS. NORRY: You have to establish some criteria on  
9 the shortage categories and so forth in order to use that.

10 MR. BIRD: That's right.

11 MS. CYR: I would agree. You have to establish a  
12 history of inability -- a shortage area, to be able to do  
13 that. That may or may not be the case.

14 CHAIRMAN DICUS: Okay. Commissioner Merrifield.

15 COMMISSIONER MERRIFIELD: I have got four  
16 questions I want to go through quickly and, hopefully, we  
17 can have succinct answers to them. I notice, since we had  
18 the last EEO briefing, that Hispanics remain  
19 under-represented throughout the agency. Since our last  
20 briefing and in the recent months, have we identified any  
21 new ways to improve our recruitment of Hispanic employees?  
22 Anything new are thinking about?

23 MR. BIRD: Well, you know, again, this is  
24 something -- the recruiter that we are looking to employ has  
25 been a diversity recruiter. In talking with her she had

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1 some good ideas, some fresh ideas about how to target and  
2 how to out-pace other employers in getting people  
3 interested. I want to pick up on some of her ideas if we  
4 are successful in getting her on board.

5 COMMISSIONER MERRIFIELD: We will look forward  
6 when she comes on board to having her share those ideas at  
7 the next meeting.

8 MR. BIRD: We definitely need to look at that  
9 particular issue and get a strategy that works.

10 COMMISSIONER MERRIFIELD: Good. The second one is  
11 we had a sharp decline in Asian supervisors from 19 to 12  
12 from FY '98 to '99. Are we conducting a lessons learned  
13 review of this to gain an understanding of why that  
14 happened?

15 MS. LITTLE: Yes. We looked at the background on  
16 what happened to the Asian supervisors and, actually, a  
17 couple of them retired and some of them moved to the SLS,  
18 and some of the others were taken out of supervision and  
19 moved to team leader positions. That is basically what  
20 happened.

21 MR. MERSCHOFF: Irene, the Walnut Creek Field  
22 Office closure hurt us in a block load there. We had fairly  
23 high representation for Asian-Americans out there, and we  
24 lost two or three supervisors when we closed WCFO.

25 COMMISSIONER MERRIFIELD: The Committee on Age

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1 Discrimination mentions, in its prepared statement, that CAD  
2 is embarking on a new program to find ways to establish an  
3 effective mentoring program to utilize the skills of older,

4 experienced staff. This seems like a pretty good idea to  
5 me. As the Commission said in its previous Commission  
6 meeting, we wanted to encourage seasoned employees to  
7 volunteer as mentors. Is the staff working with CAD on this  
8 issue?

9 MS. LITTLE: Yes, we are. We have a facilitated  
10 mentoring program in the Office of Small Business. We  
11 manage it out of the Office of Small Business and Civil  
12 Rights. We work with the regions and with the managers here  
13 to train managers and senior staffers who would like to  
14 serve as mentors, and then we work to match up employees who  
15 are interested in having mentors. That is consistent with  
16 our attempts to meet all new employees. We recommend that  
17 all new employees have mentors. We talk to them the first  
18 day at work and suggest that to them. Barbara Williams on  
19 my staff is the contact for mentoring. I think most of our  
20 current employees know that our managers do, and when  
21 employees are interested in mentoring, they can do that. We  
22 will be working with CAD to facilitate the mentoring of the  
23 employees.

24 COMMISSIONER MERRIFIELD: I think that mentoring  
25 is critical. I know when I first entered my profession as

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1 an attorney, the law firm I worked for had a very active  
2 mentoring program, and I felt it was very useful for entry  
3 level people. I will make a public -- I will certainly, I  
4 think, you know, and the agencies I have worked at, or the  
5 places I have worked where they had mentors, it is just  
6 something that everyone from top to bottom volunteered to  
7 do, and I certainly would volunteer to the extent that you  
8 would like to have a Commissioner as a mentor, I certainly  
9 would be happy to do that.

10 DR. TRAVERS: If I could just make a quick  
11 comment. I happen to agree entirely with that. The senior  
12 management staff, in the context of Commissioner Diaz's  
13 question just a few moments ago, I have been a mentor twice.  
14 I may not have been all that successful, my last mentee left  
15 the agency a couple of months ago.

16 [Laughter.]

17 DR. TRAVERS: There is a lot of support on the  
18 part of the senior management team for this kind of program,  
19 and I agree with you, I think it pays a lot of dividends.

20 COMMISSIONER MERRIFIELD: Finally, in connection  
21 with the last EEO briefing, the staff provided the  
22 Commission with the Annual Report to Congress on veterans  
23 employment in the federal government. In connection with  
24 this report, I understand there has been a review of various  
25 executive agencies, disabled veterans employment programs

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1 has been initiated. I realize as an independent agency, we  
2 are not subject to that review. However, I am interested in  
3 how well our programs support, recruiting, hiring and  
4 advancing disabled employees, including disabled veterans.

5 MR. BIRD: We do have a disabled veterans  
6 affirmative action plan that is submitted. We voluntarily  
7 pursue disabled veteran recruitment, perhaps not as actively  
8 as we might, and we do track disabled veterans along with  
9 other disabled employees and report that in various other  
10 forums. We have had some contact with the veterans  
11 associations and with the Veterans Administration in this  
12 regard, and it is part of our overall recruitment package to

13 focus in this particular area. So we are certainly open to  
14 that and do do that.

15 COMMISSIONER MERRIFIELD: This is an area the  
16 administration has put a lot of focus on. I agree with that  
17 focus. This is a group which has made just short of the  
18 supreme sacrifice and I think we should do all we can to  
19 redouble our efforts in that regard.

20 The last thing I want to say is I know Irene has  
21 been making a new effort at having a new diversity day,  
22 which I think will be September 22nd. I didn't know if you  
23 wanted to make a plug for that in this particular venue.

24 MS. LITTLE: Thank you, Commissioner, we would  
25 love to make a plug for that. This will be our first effort

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1 at a diversity day, which is intended to symbolize, and in  
2 fact practice inclusiveness, instead of going for emphasis  
3 on a single group. We believe that the diversity day will  
4 be a good event, and it is scheduled for September 22nd and  
5 we are inviting lots of people to work with us. Barbara is  
6 heading up that team, and we have a team of employees  
7 working with us. Some of them are from the committees, some  
8 of them are not. So we are looking forward to this first  
9 opportunity at a diversity day here. Thank you.

10 COMMISSIONER MERRIFIELD: Well, I have to say, the  
11 Chairman, I know she shares my Dutch descent, and I am also  
12 of Scottish descent. I certainly hope we have employees in  
13 the agency who would like to get involved with those. I  
14 certainly will be welcome to participate, I am sure.  
15 Commission McGaffigan, what, Irish-American, as well.

16 COMMISSIONER DIAZ: Nils is a Danish name.  
17 [Laughter.]

18 CHAIRMAN DICUS: Commission Diaz.

19 COMMISSIONER DIAZ: Yes, I do have one. First, I  
20 wanted to commend Commissioner McGaffigan for focusing on  
21 the hiring, which I think is the way that we can improve our  
22 demographics. Having said that, I would like to disagree  
23 with Commissioner McGaffigan, that that is the area that is  
24 most important. Sometimes were are limited in hiring and  
25 for all our employees, not only for the minorities, the job

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1 satisfaction is a very important component and upward  
2 mobility becomes a major part of how people get satisfied or  
3 how they leave or stay in the jobs.

4 In this respect, I noticed the efforts that the  
5 agency has done in improving performance appraisals. I had  
6 a couple of questions on this. Are we training our managers  
7 in how to do better, more objective performance appraisals  
8 that can be used for the process of upward mobility and  
9 promotion in more than a specific per office, you know,  
10 issue, but as an agency issue?

11 MR. BIRD: Yes, there is training available and  
12 various courses that are given. I think in particular one  
13 that now is focused on, to some extent, the prevention of  
14 pre-selection and coaching on pre-selection. There are  
15 elements of that that get included in all those courses, and  
16 the managerial courses, that is also part of the training  
17 that is given to all new supervisors.

18 You know, some offices have asked us to come in  
19 and participate in focus groups or in large group sessions.  
20 Some of my staff have done in a coaching sense, and we are  
21 certainly available to. I think the resources are there.  
22 Whether all managers are taking full advantage of that, I am

23 not sure.

24 MS. NORRY: We may need to do just a tad more. I  
25 mean I think in areas of the agency where we have had

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1 specific indication that there may be a problem, we need to  
2 make sure that we go in there and be a little bit more  
3 aggressive in offering help to train managers, as opposed to  
4 just waiting for that request. We may have to take a look  
5 at that and see where, to the extent that we have areas  
6 where there are particular indications that perhaps people  
7 need a little more information.

8 COMMISSIONER DIAZ: I think is a very important  
9 thing, because, you know, that is -- this program needs to  
10 be plugged in to how the agency promotes. For example, I  
11 was noticing some your statistics, and selecting just by  
12 pure chance Hispanics. Hispanics was the group that had the  
13 lowest decrease in outstanding performance in the agency  
14 last year. The normal average was 10 percent, Hispanics was  
15 3 percent. You would expect that that would have resulted  
16 in some upward mobility for Hispanics within the agency and  
17 it did not. It might be that we missed an opportunity in  
18 there. And I am just picking on Hispanics because it shows  
19 clearly in the data. It could be that any other group would  
20 be the same, or any other employee.

21 So, performance appraisal objective and plugging  
22 into how we promote and provide opportunity is a very  
23 important program for all employees.

24 DR. TRAVERS: Yes, I agree, and I think the  
25 fairness of the appraisal, the objectiveness of the

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1 appraisal, good feedback to an employee who desires to  
2 progress within the agency so that identified weaknesses, if  
3 there are any, can be brought out, can be worked on,  
4 improved, facilitated perhaps by the agency in some of its  
5 programs. So I think it is part of a program to give an  
6 honest assessment to provide employees an opportunity to  
7 develop themselves and be recognized for that development.

8 COMMISSIONER DIAZ: Okay.

9 MS. LITTLE: If I could just make a comment.  
10 There are two offices that are doing that, I just want to  
11 give them some kudos here, and that is NMSS, they are  
12 working with us to get some training there, and Region I,  
13 training their supervisors, that has already been done, to  
14 do better performance appraisals.

15 COMMISSIONER DIAZ: Good. Thank you. And the  
16 last thing is I do believe there is an opportunity to use  
17 rotations for disabled people -- for people to be known,  
18 because sometimes you still tend to be in an area. It is  
19 also a tremendous opportunity for the agency to get to know  
20 which people are more adept to doing a series of things.  
21 And since we tend to raid DOE, we might get some rotation  
22 from DOE that might help us, and then see that we are a very  
23 good place to work, we might be able to retain some of  
24 those. So I would encourage you to look into it.

25 MS. NORRY: Yes. You know, we recently put this

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1 thing out on the web that says if you want a rotation, here  
2 is how you do it, express an interest. That will help a  
3 little bit. I think it has been understandable in an area  
4 of downsizing that people tend to hold on, you know, say,

5 well, I have fewer resources, so I am going to hold onto  
6 them. But I think we need, you know, we need to encourage  
7 managers to do more of that.

8 COMMISSIONER DIAZ: Aggressively.

9 MS. NORRY: Every single person here has seen  
10 examples of people who have undergone rotations and some new  
11 talent that no one knew they had emerges and it has been  
12 wonderful. You can point to all sorts of examples.

13 COMMISSIONER DIAZ: Thank you.

14 CHAIRMAN DICUS: Commission McGaffigan.

15 COMMISSIONER MCGAFFIGAN: I will just ask a couple  
16 of quick questions. The data on hiring, I think the  
17 Chairman mentioned something about getting more information  
18 about disabled and Commissioner Merrifield talked about  
19 disabled veterans. I think it would be interesting to have  
20 that data. Is there any data on people leaving before, in  
21 the retention area, which I also agree with Commissioner  
22 Diaz is important, the effects of FERS versus CSRS? I mean  
23 people who are leaving the agency before they are retirement  
24 eligible and the percent, you know, whether people in FERS  
25 are, as the system is set up, feeling more likely -- you

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1 know, more likely to leave than somebody in CSRS?

2 MR. BIRD: We don't have specific data on that,  
3 but anecdotally, certainly, people that have had the FERS  
4 retirement coverage, with the recent stock market effect,  
5 have felt very comfortable sometimes in going early, leaving  
6 the agency earlier.

7 COMMISSIONER MCGAFFIGAN: Because it is totally  
8 transportable.

9 MR. BIRD: Whereas those not in FERS may not have  
10 the financial wherewithal to be able to go. Now, that is  
11 anecdotal. I don't know that we have done an analysis on  
12 that, but my view would be that over time, particularly if  
13 the economy is good, you will have some effects of that in  
14 terms of people leaving earlier.

15 COMMISSIONER MERRIFIELD: Commissioner, I am sorry  
16 to interrupt. That is sort of a very interesting question.  
17 I am just -- I am not certain what that leads us to. I mean  
18 we could find that that may have some impact, but there is  
19 really, since that is a government-wide thing, there is not  
20 really much we can do to change relative to that, is there?

21 COMMISSIONER MCGAFFIGAN: It is a government-wide  
22 thing. Yes, there may not. I just am interested in the  
23 long run, you know, if we have a large number of people,  
24 10-15 years from now -- right now, today, we have over a  
25 thousand of our 2800 people eligible for early retirement or

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1 full retirement, and that is going to grow because our work  
2 force, someone said, is getting older. Fifteen years from  
3 now, if you are still recruiting at 100 people a year and  
4 all of those people have a very portable pension system, you  
5 are going to have some real skills issues. I mean it is  
6 really a different issue from EEO, but you are going to have  
7 -- and maybe we need, the technical agencies will need some  
8 additional tools that they don't have today to work on the  
9 retention of those people on the FERS system.

10 COMMISSIONER MERRIFIELD: So you are asserting --  
11 I'm sorry, but I think he has got an interesting point. So  
12 your assertion is that we may have greater volatility, the  
13 potential for greater volatility in people coming in and out  
14 of the agency because of the portability of those pensions.

15 COMMISSIONER MCGAFFIGAN: And also great  
16 difficulty in retaining skills and not just here, but in  
17 other technical agencies.  
18 CHAIRMAN DICUS: For multiple reasons, too.  
19 COMMISSIONER MCGAFFIGAN: Right. And then  
20 finally, again, following up on a point that Commissioner  
21 Merrifield made, when I look at Table D and the managers and  
22 supervisors, how much weight is going to be given in the SES  
23 development program to being a current manager or a  
24 supervisor? Because if you do limit it to the folks who are  
25 Table D managers and supervisors today, there is going to be

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1 limited opportunities to increase diversity. So what is --  
2 I just honestly don't know, what is the weighting factor, if  
3 any, in the announcement that was put out with regard to  
4 being a current manager or supervisor in order to get into  
5 the SES development program?

6 MS. NORRY: The candidates are asked to address  
7 the five major management areas that are the OPM approved  
8 skills, such as leading change, leading people and in each  
9 area, those who are evaluating them, evaluate them not only  
10 from their experience but from their potential. So it is  
11 intended to cover those who have had some experience that  
12 they can demonstrate, but those who are believed to have the  
13 potential. And there is no weighting factor that says, you  
14 know.

15 CHAIRMAN DICUS: Commissioner Merrifield, do you  
16 have any follow-up?

17 COMMISSIONER MERRIFIELD: Yes. One last one, on  
18 Table B in the materials, non-SES competitive selections,  
19 right below that, and I will read it, it says, "The data  
20 above do not -- the data represent competitive selections  
21 made in the merit staffing process and do not factor in the  
22 grade level of the positions. Selections for all minority  
23 groups except Native Americans show a downward trend from FY  
24 1997 to FY 1999. Selections for white men and white women  
25 show a general trend upward." And this is an important

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1 point, "There were no minority applicants for some positions  
2 filled competitively. This is an area of focus for  
3 management."

4 I know we talked earlier about the notion of  
5 putting notices on the web so there would be greater  
6 knowledge out there among our employees of positions that  
7 are available. But it concerns me that there is continuing  
8 self-selection, that people are discouraged, for whatever  
9 reason, from applying for positions. And I am wondering  
10 what strategies we are thinking about to ensure that we have  
11 got the right encouragement to our employees that they  
12 should feel that they should apply for these positions, that  
13 they will not be turned out for reasons?

14 MS. LITTLE: That really is an area where we are  
15 struggling to come up with some answers. We have talked to  
16 the Advisory Committees, and when jobs are posted, we go to  
17 the committee chairpersons and ask them if they will contact  
18 their constituency and encourage them to apply for jobs. I  
19 have talked individually to candidates that are good  
20 candidates for specific jobs, and sometimes I hear, I have  
21 been applying for jobs for 20 years and I am just not going  
22 to do it anymore. So we do need help from the managers in  
23 encouraging employees to apply for jobs and in saying the

24 jobs are open, that the competition is there, that  
25 pre-selection has -- no one has been pre-selected for a job.

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1 Some employees do feel disillusioned and we need managers to  
2 help us eliminate that perception.

3 MS. NORRY: It turns out that feedback is so  
4 important, and even though we encourage that, there are  
5 still cases where that is not being done, where people just  
6 don't succeed in getting on BQL, or they do succeed in  
7 getting on a BQL and then don't get picked over and over.  
8 They need feedback as to why.

9 CHAIRMAN DICUS: Okay. I would like to give the  
10 opportunity to the committee chairs who are here who would  
11 like to make any brief comments, so I will recognize each  
12 committee in turn. If you did wish to make a brief comment,  
13 if you would go to the podium and then again identify  
14 yourself for the reporter. So I am going to start with the  
15 Asian-Pacific-American Advisory Committee. Did you care to  
16 make a comment?

17 MR. DIEC: My name is David Diec, and Chairman  
18 Dicus and Commissioners, I appreciate the opportunity to  
19 stand here to make some remarks.

20 CHAIRMAN DICUS: Is the mike on?

21 MR. DIEC: Can you hear me now? Okay. While we  
22 have been successful in helping the agency in attracting  
23 some young employees and helping the agency to attract them,  
24 but not only attract them but convince them that the NRC  
25 working environment is the place to be, we have not been

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1 effective in eliminating a consistent obstacle that we have  
2 been facing at higher grade levels. With that, the longer  
3 than average time spent in grade, especially at the GT-14  
4 level and a large reduction in the managerial and  
5 supervisory positions as a result of the recent reorg have a  
6 large negative impact on the Asian-Pacific-American  
7 employees' morale. We believe that these issues deserve  
8 considerable attention from the management.

9 On the other hand, we are encouraged that our  
10 recommendations to improve employees' promotional potential  
11 have been positively received by the management, and  
12 particularly by the Office of NRR. And steps have been  
13 taken by the NRR to implement our recommendations.

14 We are also encouraged that management is focusing  
15 on the impact of the disproportionate loss of  
16 Asian-Pacific-American managers and supervisors to the reorg  
17 and is also working toward a plan to improve the morale.

18 We extend our cooperation to how to formulate the  
19 strategy and to achieve the positive results. Thank you.

20 CHAIRMAN DICUS: Thank you.

21 The Hispanic Employment Program Advisory  
22 Committee.

23 MR. IBARRA: Jose Ibarra. Chairman,  
24 Commissioners, thank you for the opportunity for a few  
25 words. In the springtime of this year, Hispanics were very

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1 disappointed, in a matter of about a few months, there were  
2 about 25 positions that were opened due to the  
3 reorganization. Many Hispanics applied, and, in fact, in  
4 some cases, 100 percent of the Hispanics that could apply,  
5 did apply, and we were not successful in getting any of  
6 those positions. We must move on and we will move on, but

7 we do need some management support in order to prepare us  
8 for the next time.

9 Hispanics need to be included in developmental  
10 programs like the SES development program that is currently  
11 taking place. We also need to be included in high  
12 visibility projects. And we desperately need rotations in  
13 the Commission and the EDO's offices.

14 HEPAC is helping with the help of SBCR, we are  
15 assisting Hispanics and we are preparing the individual  
16 development plans. We are helping them prepare for the  
17 merit selection packages, and we continue to assist Human  
18 Resources in recruiting Hispanics.

19 In the last few months, there has been very  
20 positive developments. Mr. Collins from NRR did invite us  
21 to go and talk to him about the lack of Hispanic success in  
22 the openings at NRR and that was a very good meeting.  
23 Within the last two months we have had one Hispanic being  
24 selected for a temporary GT-15 position, and we are very  
25 encouraged that in NRR there is a technical assistant

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1 position that has been opened for rotational assignments.  
2 Thank you.

3 CHAIRMAN DICUS: Thank you very much.

4 The Affirmative Action Advisory Committee.

5 MR. GREHER: Good morning, or almost afternoon. I  
6 want to take the opportunity to give you just a quick feel  
7 for what we cover. We are involved with affirmative action  
8 regardless of your race, color, nationality, religion and  
9 everything else. It is hiring people, promoting people.

10 One of the problems we have in this agency is that  
11 unless you -- your sex is identifiable and your age is  
12 identifiable, but any other characteristic, your ethnicity,  
13 your religion, your handicap, these are all voluntarily  
14 supplied by the individual. And if the individual refuses  
15 to volunteer that information, even if it is blatantly  
16 obvious that that individual has that characteristic, it is  
17 not recorded for that individual. So we don't know who our  
18 constituencies are, and even if we did know who they were,  
19 we wouldn't know formally because the agency refuses to give  
20 us, the Committee Chairmen, the names of our constituency.  
21 We just have to figure out who they are.

22 It is very easy for me to go to a black person and  
23 say, hey, apply for that job because they need black males,  
24 and you know that person is not identified not identified on  
25 the agency roles as black male, because that person has

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1 refused to identify himself as a black male. So that is a  
2 little bit about the constituency issue and about the data.

3 Let me just talk a brief moment about the lack of  
4 data. There is no data on the handicapped and some of the  
5 Commissioners have noted that. My committee is particularly  
6 interested in the handicapped because no other committee has  
7 that in their mandate. That just shows you the attitude  
8 towards the handicapped in this agency, it is an attitude of  
9 neglect, let's say.

10 I think very positive actions have been made,  
11 mostly people who have physical problems, whether it is  
12 ability to use their legs, their arms, their eyes and their  
13 ears, but we don't really focus on other kinds of  
14 handicapped, and usually they are the ones that are more  
15 hidden, medical problems like diabetes or heart conditions,

16 emotional problems, mental retardation, they are not even  
17 spoken about, particularly emotional problems. And that is  
18 true for the world in general and it is particularly true in  
19 this agency. And I think I am encouraged by the  
20 Commissioners asking for more data on handicapped.

21 Let me talk a little bit about data. Everybody is  
22 focused on the fact that it has been a level field for five  
23 years. Well, in the last five years we have hired 445  
24 people, which represents 16 percent of the people on board  
25 today. The hiring levels, the hiring picture looks exactly

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1 the same as the picture that we have as an agency. We have  
2 been level in this agency, 53 percent men, 37 percent white  
3 men, 37 percent women, and 10 percent minority males. For  
4 five years, those same percentages are true in the hiring  
5 picture over the same five years. No change has been made.

6 I believe we can affirmatively move on the hiring  
7 positions to make changes. And if over those 16 years we  
8 had done a better job in hiring, believe me, the numbers  
9 would have improved over the five years. That is where it  
10 can happen. And this has been a bad five years for hiring,  
11 yet we have hired 16 percent of the current, approximate, no  
12 more than 16 percent, but let's say 16 percent of the  
13 current work force are new hires, five years or less.

14 I do have a recommendation in that particular  
15 respect. I think that the success has been in the intern  
16 program. Unfortunately, when you hire five interns in a  
17 year, and 90 percent of them are women -- well, it can't be  
18 90 percent -- 80 percent of them or even 100 of them are  
19 women and minorities, that doesn't lead up to a lot, even  
20 over a five year period. I believe we should devote 100  
21 percent of our hiring to the kinds of ground rules that will  
22 apply to the intern program, so that we can get as many,  
23 maybe even 100 percent of the new hires as either women or  
24 minorities. And if that is happening, over a period of time  
25 we will see an improvement.

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1 Even as a federal agency, we don't rank with the  
2 average federal agency in terms of hiring women -- in terms  
3 of having women on board. There was a big seminar in Denver  
4 last week where it was announced 50 percent of all federally  
5 employed women in the civilian area are women. We are down  
6 to 37 percent and we haven't moved. And I am sure the same  
7 is true for some of the other areas, but possibly not all.

8 I have two more recommendations. One is that even  
9 in the upward mobility area, and for me upward mobility  
10 means anybody from grades 1 through 15 who have an  
11 opportunity to move to grades 2 through SES, or SLS. That  
12 is the upward mobility program. It may have components to  
13 it like the SES candidate school or the paraprofessional  
14 position, but the upward mobility program covers everybody  
15 in this agency, unless they are already an SES or more  
16 likely a senior manager. That focus should be provided.  
17 The focus that we have done for the 7 through 9 should be  
18 provided for everybody else, and if we do it that way, we  
19 are more likely to see that pipeline that Commissioner  
20 Merrifield talked about improved, and more people moving up  
21 that pipeline who are minorities and women.

22 And my final question and it is sort of like an  
23 unrelated area, is I would like to know what the caseload is  
24 of current -- of discrimination bias cases currently on the  
25 caseload? Not that we have 20 or 30 a year, but how many

1 cases are still open today and by what type. That is really  
2 more important. That gives you a feel of where we are.  
3 Because some of these cases can take six months and some of  
4 these cases can take five years. Are we moving more towards  
5 the five year end, or are we moving more towards the six  
6 month end? If we are to the latter, to the six month end,  
7 great, we are solving problems. If we are moving more  
8 towards the five years, not good, we are not solving  
9 problems. And I recommend that you ask for those kinds of  
10 statistics.

11 Thank you very much, and I am sorry if I took a  
12 little longer.

13 CHAIRMAN DICUS: Okay. Thank you very much.  
14 The Advisory Committee for African-Americans.

15 MR. THOMAS: Good morning.

16 CHAIRMAN DICUS: Good morning.

17 MR. THOMAS: Chairman Dicus and Commissioners,  
18 thank you for the opportunity to talk to you. By the way, I  
19 am the Co-Chair, I share the Co-Chair with Ray Shoal for  
20 that committee -- I mean Ray Holt. Sorry, Ray.

21 Just three brief comments. ACAA has been  
22 championing three key issues, that is the advancement of  
23 minorities, women and persons with disabilities into  
24 supervisory and management positions. The accountability of  
25 managers and supervisors to make good contributions to EEO.

1 And also the broadening of the upward mobility efforts to  
2 improve opportunities for paraprofessionals within the  
3 agency.

4 There has been enough discussions on a couple of  
5 these issues, but I would like to make a few comments. On  
6 the accountability issue, I was very pleased to hear the  
7 discussion about holding senior level managers as well as  
8 mid-level managers accountable and seeking opportunities to  
9 put in place specific criteria, if there may be elements and  
10 standards, but seeking those opportunities to put something  
11 of that nature in place to evaluate how well managers and  
12 supervisors are doing with regard to EEO.

13 The other issue I would like to talk about a  
14 little bit is the upward mobility program, and Ray mentioned  
15 that briefly and it is discussed briefly in our paper, and  
16 he said we would get back to you with some more information  
17 on that, but I think I ought to use this opportunity to put  
18 a plug in for it.

19 You know, we have done a little bit of homework on  
20 this and we really don't see that there is a really good  
21 definition of what upward mobility is. And if there is, it  
22 is transparent to the paraprofessionals in particular. We  
23 would like to see a database be established identifying --  
24 and this is a recommendation that I intend to bring forward  
25 to SBCR, by the way, but we would certainly like to see a

1 database identifying paraprofessionals, identifying their  
2 skills, their experience, their expertise, their  
3 backgrounds. We would certainly like to see an  
4 identification of the paraprofessional jobs that are  
5 available. And if at all possible, we would like to see the  
6 use of this database be used to identify candidates who can  
7 potentially be promoted into the upward mobility positions.

8 So, all in all, I would like to say we certainly  
9 think that the agency doesn't have a really good handle on  
10 the upward mobility program, and particularly as it  
11 addresses paraprofessionals, and we think there is room for  
12 improvement there. Thank you very much.

13 CHAIRMAN DICUS: Thank you.

14 Now, we will hear from the Committee on Age  
15 Discrimination. Did you wish to make a comment?

16 MR. NARBUT: Yes. Thank you. Well, I guess I am  
17 the first to say good afternoon, Commissioners.

18 CHAIRMAN DICUS: Good afternoon. We are not too  
19 far off schedule, though.

20 MR. NARBUT: Not too badly. I just have a few  
21 points to make. First of all, I have got up here twice  
22 before in previous briefings and bemoaned the fact that age  
23 wasn't mentioned in the briefing and age wasn't carried up  
24 in the data, and I would like to start off by just thanking  
25 SBCR and Human Resources for a much improved package where

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1 age is brought out. It is done by five year increments  
2 where we can see some trends. We really feel like we are on  
3 the EEO page this year and we appreciate that.

4 A second point being that aging will undoubtedly  
5 become a more critical work place issue in the NRC and in  
6 the U.S. in general, and we will continue to work with SBCR  
7 to define and address aging issues in the NRC.

8 A third point being that we older non-management  
9 employees do have a lot to offer. We only ask for the  
10 opportunity to show you that, and we ask for your support in  
11 countering the negative cultural mindsets regarding aging in  
12 this country.

13 A fourth and final point, our joint statement had  
14 one aging issue that was not discussed, and I would like to  
15 discuss it ever so briefly. Our joint statement said that  
16 there was a significant trend of reduced performance  
17 appraisals for engineers and scientist groups in the 13, 14  
18 and 15 grade categories. That particular study was a little  
19 bit different than the data that is presented in the  
20 Commission briefing paper in that it did a couple of  
21 different things, it removed supervisory level people, it  
22 focused on the biggest groups that could be found that were  
23 more or less homogenous, and then did a statistical study  
24 which made definite conclusions that said, yes, indeed, this  
25 is not just an anomaly, but a fact, that there is a

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1 disparate number of low outstanding performance appraisals  
2 for the older people. That is a fact.

3 The next step to move forward to is what is the  
4 cause of that, and we didn't and can't make conclusive  
5 statement about that, but I think I am comfortable in saying  
6 it is mindset. It is either performance -- people don't  
7 perform over 50, or it is mindset, and I believe it is  
8 mindset. We would like to work towards changing that.  
9 Thank you for your time.

10 CHAIRMAN DICUS: Thank you very much.

11 The Federal Women's Program Advisory Committee.

12 MS. GIVVINES: Good afternoon, my name is Mary  
13 Givvines, and I will do my best to make this real quick.  
14 Can you hear me? Over 95 percent of our committee, they are  
15 all new members, including myself, so there is really -- we  
16 haven't had an opportunity to identify any new issues.  
17 However, we did inherit one ongoing issue and that is, and

18 they have alluded to it earlier, there is a need to increase  
19 the number of women in senior level positions. We do agree  
20 with that.

21 Another thing I wanted to mention that hasn't been  
22 mentioned, committee-wide we are going to start putting in  
23 articles in the NNRC. We are going to establish our goals  
24 and continue with our accomplishments year after year to let  
25 everyone know what we are doing and what accomplishments

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1 have been made.

2 And, finally, I want to congratulate Commissioner  
3 Merrifield for his efforts to diversity his family. Thank  
4 you.

5 COMMISSIONER MERRIFIELD: Thank you.

6 CHAIRMAN DICUS: Thank you.

7 COMMISSIONER MERRIFIELD: I will give you a report  
8 on that later on.

9 CHAIRMAN DICUS: We unfortunately do have a  
10 representative for the Joint Labor-Management Equal  
11 Employment Opportunity Committee, so we will go now to the  
12 National Treasury Employees Union.

13 MR. WOLF: Good afternoon, I am Tom Wolf. I am  
14 speaking for Pete Hearn, who is the President, he is Las  
15 Vegas at the present time with our national convention. And  
16 speaking of EEO matters, I would like to announce that we  
17 now have a new President of NTEU, Colleen Kelley, who is  
18 replacing Bob Tobias. So the women are increasing in our  
19 organization also.

20 Also, the District Vice President for -- our  
21 National V.P. is also a lady, Maddie Hammond, she was  
22 re-elected. She, unfortunately, defeated our own Mike  
23 Stein, who was also running for the deal, but she -- Maddie  
24 and Mike work very closely together, so we see nothing  
25 there.

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1 On EEO matters for the NTEU side, we have  
2 basically three or four items that we continue to have  
3 concerns about, and they were mentioned here somewhat  
4 briefly, but upward mobility I guess would be the general  
5 topic of it, both from a professional and a paraprofessional  
6 side. We have I would say glass ceilings up at the 13, 14,  
7 15 levels, primarily because of one thing, the aging  
8 population of our organization here. We have a very high  
9 level, high graded older population here.

10 Just to give you an example, I am the steward of  
11 record for the research group, and we are in an  
12 organizational move right now as a result of the combination  
13 of the old Office of Analysis and Evaluation of Operation  
14 Data with Research, and we are doing office selection type  
15 criteria.

16 I have 27 years of government service, I am number  
17 in 31 in office selection criteria right now. That will  
18 give you an idea of what is happening to this agency. It  
19 also addresses Commissioner McGaffigan's question on what  
20 are we doing about bringing in lower people to take the  
21 place of all the aging people, that all of a sudden we are  
22 going to have maybe major brain drain in this organization,  
23 that we need to do something with. That gives us a very  
24 good opportunity to bring in minorities, get them trained  
25 up, get them the knowledge base so that we can bring that,

1 increase that population in here.

2 We also have that under the paraprofessional,  
3 let's say, level, where you have got 6s, 7s, 8s that are  
4 hitting the ceilings of you can't go any further. We have  
5 had some successes recently, I would like to mention that,  
6 in that we have been working with management to expand, if  
7 you are going to post an 8 or 9 position, to expand it to a  
8 7, 8 or 9 position, so that there is sort of a bridge there  
9 that allows people to move across. So this is -- I think it  
10 is a plus on management's willingness to work with labor and  
11 allow this movement to take place.

12 Another one is, as Commissioner Merrifield,  
13 mentioned, basically, the web site for rotational  
14 assignments. It now brings it out to people. This is a  
15 kudo for the ALMPC, where in the Agency Level Management  
16 Partnership Committee, the ideas were brought forth, we came  
17 to agreement, it is now in place.

18 The one concern we have on that is, again, in a  
19 downsized agency, in most cases a rotational assignment is a  
20 tit for tat assignment type deal, where you have to find an  
21 equivalent person to rotate into your place before you can  
22 rotate out of your position. That one is one that we need  
23 to take a very hard look at also. Is there a way to allow a  
24 person to go without having to bring another person into a  
25 position? That has stymied a lot of the rotational

1 assignments. So even if we have a good way of mentioning we  
2 have rotational assignments, can they actually be utilized?  
3 That is one of our concerns on there.

4 So, one of the final ones I would say would be  
5 performance appraisals. As you know, the agency and the  
6 union have been working for a long time on what is a good  
7 performance appraisal system that may address some of the  
8 problems with the Os and the Es and the As, and whatever,  
9 everything else like that. That is a new topic that will be  
10 brought up in our mid-term election -- I mean our mid-term  
11 bargaining on changes possibly to the performance appraisal  
12 system. That some of the items that we have to consider in  
13 that change is the viability of the performance appraisal  
14 system. Can management across the board implement equally a  
15 good performance appraisal system? And maybe address some  
16 of the concerns that I believe Commission Diaz had brought  
17 up. Can Region I do the same -- if you were in Region I,  
18 would you get the same performance appraisal as you would in  
19 Region IV, or headquarters, or across the fields? So those  
20 are the areas that I would like to just mention for right  
21 not the NTEU side of the house. Thank you.

22 CHAIRMAN DICUS: Okay. Thank you very much.

23 Did you have any closing comments? So we are  
24 done. Okay.

25 Again, on behalf of my fellow Commissioners --

1 COMMISSIONER MERRIFIELD: Chairman, I am sorry, I  
2 had a couple of things.

3 CHAIRMAN DICUS: Okay. Go ahead.

4 COMMISSIONER MERRIFIELD: No, I --

5 CHAIRMAN DICUS: Well, there is a point I was  
6 going to --

7 COMMISSIONER MERRIFIELD: Oh, I sorry, I thought  
8 you were making a closing statement.

9 CHAIRMAN DICUS: I am, but there is a point I was

10 going to ask if you had any other statements. Okay.

11 COMMISSIONER MERRIFIELD: Oh, okay.

12 CHAIRMAN DICUS: So if you can just hold it, we  
13 will get there, I promise.

14 [Laughter.]

15 CHAIRMAN DICUS: Because I want to make a couple  
16 of comments besides what is here.

17 Anyway, I want to thank the NRC staff for the  
18 briefing today, and I think I speak for the Commission as a  
19 whole when I say that we fully support your efforts in  
20 ensuring that all employees have the opportunity to  
21 participate in the accomplishments of this agency, to  
22 compete fairly and equitably for career enhancement and  
23 advancement, and to work in an environment that is  
24 absolutely free of discrimination.

25 Now, I think you have heard us, -- we will review

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1 the transcript. You have heard us ask for some additional  
2 data to the extent that it is available. Some issues that  
3 have been brought up, some recommendations. I appreciate  
4 the Chairs of the Advisory Committees and the comments that  
5 you made and some of the recommendations that you have  
6 brought forward. So I commend you on having, in a  
7 downsizing and difficult time of change for this agency, in  
8 being able to maintain, to the extent you have, our  
9 diversity. I think we are to the point now, I heard you  
10 describe some new programs, some new potential to improve  
11 that diversity, so, certainly with the help and  
12 encouragement of this Commission, I think we will be  
13 successful.

14 Do you have a closing comment? Commissioner  
15 Merrifield.

16 COMMISSIONER MERRIFIELD: Well, actually, I had a  
17 couple of them. One of the issues that Mr. Ibarra raised  
18 was related to rotations for Hispanics in the EDO and  
19 Commission offices. There is a tension, it seems to me, I  
20 know I have had my first rotational assignment in my office,  
21 there is a resource issue. I think there is some concern of  
22 Commissioners or others in the EDO office having rotations,  
23 placing demands on others in the staff to replace those who  
24 have come up, versus I think a very good suggestion of  
25 providing opportunities for Hispanics and other minorities

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1 to have that experience, which can be a very useful one in  
2 the promotion of individuals within the agency.

3 Have you thought at all about how we deal with  
4 that tension? I think of that personally, I have not made a  
5 decision to have another rotational person down the road  
6 because I was concerned about, or at least immediately,  
7 after I replace my current one, because of a concern of the  
8 impact that may have on other staffing issues, all the other  
9 work going on.

10 So I was wondering if just briefly, you can talk  
11 to that issues? Are rotationals, are those rotations --  
12 actually, I am directing that to Pat and to Bill?

13 DR. TRAVERS: Well, let me just start and maybe  
14 Pat can help me. Rotations are a difficult subject. You  
15 have seen the reduction in the opportunities as we have  
16 faced a number of challenges in these last couple of years  
17 and maybe more so in the last year or so. And it is a  
18 balancing of achieving the agency mission, at the same time

19 recognizing the value. I hope that we are headed towards a  
20 point where our ability to support rotational assignments  
21 for deserving candidates across the spectrum of the diverse  
22 community that we serve here will improve, but right now  
23 even I think we are in a period where the senior management  
24 team, the staff in general is challenged by the work we have  
25 before us.

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1 I turned to Pat as that was comment was raised,  
2 and I said, have we ever deliberately over-budgeted to  
3 account for rotational assignments? And I know you said,  
4 no, Pat. But the one area where I think we may have done  
5 something of that sort is when we have developed specific  
6 intern programs that recognize that new hires at least will  
7 rotate through the agency with some expected level of  
8 effort.

9 Maybe we should whether or not, in a training  
10 sense, in the budget we should look to over-budget for the  
11 opportunities that would serve us all well from rotations.  
12 I don't think we do now, I don't think you will see it in  
13 the budget. We try to make-do. We try to provide  
14 opportunities, at the same time we get our jobs done, and  
15 sometimes that is difficult, and that is reflected I think  
16 right now, as you have seen, in the numbers for the  
17 opportunities that have been reduced significantly.

18 So right now it is fairly ad hoc. At times, in  
19 any given year, if a particular manager thinks they can  
20 afford to let a staff member go on a rotation by virtue of  
21 what is before them or not before them, they agree to a  
22 rotation. If they can't support it, they don't. Right now  
23 it is a tough thing. So it is ad hoc now, maybe we should  
24 consider something that makes it more -- I'm sorry, less ad  
25 hoc, but currently that is not the case.

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1 COMMISSIONER MERRIFIELD: I would just note, and  
2 this goes to Mr. Wolf's comment about rotational assignments  
3 on the web site, I had an opportunity to go in and review  
4 the two new web sites, one being for individuals who are  
5 interested in rotations, and the other one being for  
6 individuals who are interested in coming up and working for  
7 members of the Commission. The former was a much smaller  
8 group than the latter. And I think, certainly, to the  
9 extent -- as I mentioned, you know, given the current nature  
10 of a zero sum game on rotational assignments, which I am  
11 very sensitive to, you know, that is one of the areas,  
12 eventually, if I do have other rotational folks, that is an  
13 area I will look, and I certainly would want to encourage  
14 the staff, and if you can encourage your members to make  
15 sure they get their names on that list, so that as I and the  
16 other Commissioners go through that, not only looking for  
17 permanent people in our office, but also for rotational  
18 people, that we have a good list of people to become  
19 involved in that.

20 The only last comment I would make, Mr. -- I don't  
21 know if I am pronouncing this right -- Greher.

22 MR. GREHER: Greher

23 COMMISSIONER MERRIFIELD: Greher. You made a  
24 comment about the issue of labeling and understanding of who  
25 is who and is a person fails to self-identify themselves,

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1 how we consider them. And I understand where you are coming

2 from in that in terms of having the data. I am just -- I  
3 wasn't trained on that as a lawyer, but my second sense  
4 leads me to believe that -- would there be a problem with  
5 our labeling people? That seems to me to maybe a red flag.

6 MR. GREHER: We don't label people, they have to  
7 self-identify.

8 COMMISSIONER MERRIFIELD: No, I know, but you --

9 MR. GREHER: That is the problem, and I will tell  
10 you right now --

11 COMMISSIONER MERRIFIELD: No, what you said was --

12 MR. GREHER: It is knowing that if you are  
13 emotionally disabled, that is the last thing you will ever  
14 tell anybody about yourself. So, as an example, you know,  
15 it is obvious if you are blind, you are blind. But it is  
16 not obvious to have a heart condition and it is even less  
17 obvious that you are emotionally disabled, like depression.  
18 I presume the depression figures in this agency are as high  
19 as they are for the population as a whole, but if you ask  
20 how many people are self-identified as depression, it is  
21 under 1 percent, instead of being over 7 percent.

22 COMMISSIONER MERRIFIELD: Mr. Greher, the example  
23 you use and I just want to get to this one, to direct this  
24 towards Karen, is you said there is was an individual who is  
25 African-American who failed to identify himself as an

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1 African-American and, therefore, we as an agency should  
2 identify him so we can track him better and have him  
3 available for these opportunities. And I am just wondering  
4 whether that kind of identification of individuals by  
5 ethnicity could be a problem.

6 MS. CYR: My understanding is that is a  
7 requirement for self-identification. Right.

8 COMMISSIONER MERRIFIELD: Oh, it is.

9 MS. CYR: Right.

10 MR. GREHER: It is self-identification.

11 COMMISSIONER MERRIFIELD: Right. That is what I  
12 meant, if someone fails to self-identify himself.

13 CHAIRMAN DICUS: We can't do it.

14 COMMISSIONER MERRIFIELD: Okay. Well, we can look  
15 into that. I appreciate your raising the concern, and I  
16 appreciate the Chairman putting up with my additional  
17 questions. This is an important area and I know the  
18 Chairman likes to finish on time.

19 CHAIRMAN DICUS: I know it is.

20 COMMISSIONER MERRIFIELD: I think this is one  
21 exception where extra time is well spent.

22 CHAIRMAN DICUS: But this is one of those times  
23 when I thought the extra time was well spent, so we went on.

24 I want to also -- I probably, on everyone on this  
25 side of the table, I have used rotationals the most, and I

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1 know the impact that has had in some cases, well, in many  
2 cases. However, it has enormous number of advantages. So  
3 perhaps this is an area that we could look at to address  
4 some of the very issues that we have heard today.

5 So, given that, this meeting is now adjourned. I  
6 would bang my gavel, but I don't have one.

7 [Whereupon, at 12:23 p.m., the briefing was  
8 concluded.]

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