

MEETING ON THE DISCRIMINATION TASK GROUP DRAFT REPORT

- Frank Congel
- Director, Office of Enforcement
USNRC



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Group Composition:

- Frank Congel, Director, Office of Enforcement,
Group Leader
 - Bill Borchardt, Associate Director for Inspection and
Programs, NRR
 - Barry Letts, Office of Investigations Field Office
Director, Region I
 - Dennis Dambly, Assistant General Counsel for
Materials Litigation and
Enforcement, Office of General
Counsel
 - Ed Baker, Agency Allegation Adviser
 - Cynthia D. Pederson, Director, Division of Nuclear
Materials Safety, Region III
 - Brad Fewell, Regional Counsel, Region I
 - Barry Westreich, Office of Enforcement
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Task Group Goals

Formed in June, 2000 to:

- Promote active involvement of internal and external stakeholders.
 - Evaluate the NRC's current process.
 - Review/analyze stakeholder comments.
 - Develop recommendations that ensure the investigation and enforcement process supports an environment where workers are free to raise safety concerns.
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Task Group Schedule

- Evaluate current NRC processes.
(Complete) July-Sept., 2000
 - Conduct Initial Stakeholder meetings.
(Complete) Sept.-Nov., 2000
 - Review other federal agencies processes
(Complete) Oct., 2000-March 2001
 - Develop recommendations
(Complete) Jan.-April, 2001
 - Issue Recommendations for public comment.
(Complete) May, 2001
 - Stakeholder Meetings June-August, 2001
 - Comment Period Ends August 17, 2001
 - Issue Final Report October, 2001
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Scheduled Public Meetings

- Chattanooga, TN - June 25, 2001
 - Chicago, IL - July 11, 2001
 - Paducah, KY - July 12, 2001
 - San Luis Obispo, CA - August 9, 2001
 - Waterford , CT -August 14, 2001
 - Washington, DC - August 16, 2001
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GENERAL COMMENTS RECEIVED

- Improve Timeliness.
 - Release Information (e.g. OI Reports) prior to PEC.
 - Conduct of OI Investigations.
 - Establish more Criteria for Determination of Severity Level.
 - Need to better explain Legal Standard used.
 - Clarify DOL/NRC interface.
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RANGE OF COMMENTS

■ INDUSTRY

- Defer to DOL
- No Individual Actions
- Risk Inform process
- No Enf Action Needed
- SCWE oversight
but no regulations

PUBLIC

- Allegers need more protection
 - Allegers need financial
assistance
 - Take stronger enforcement
(especially against managers)
 - Current Regs sufficient
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NOTABLE RECOMMENDATIONS

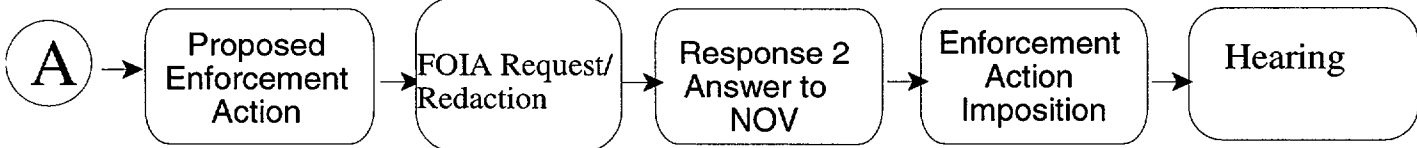
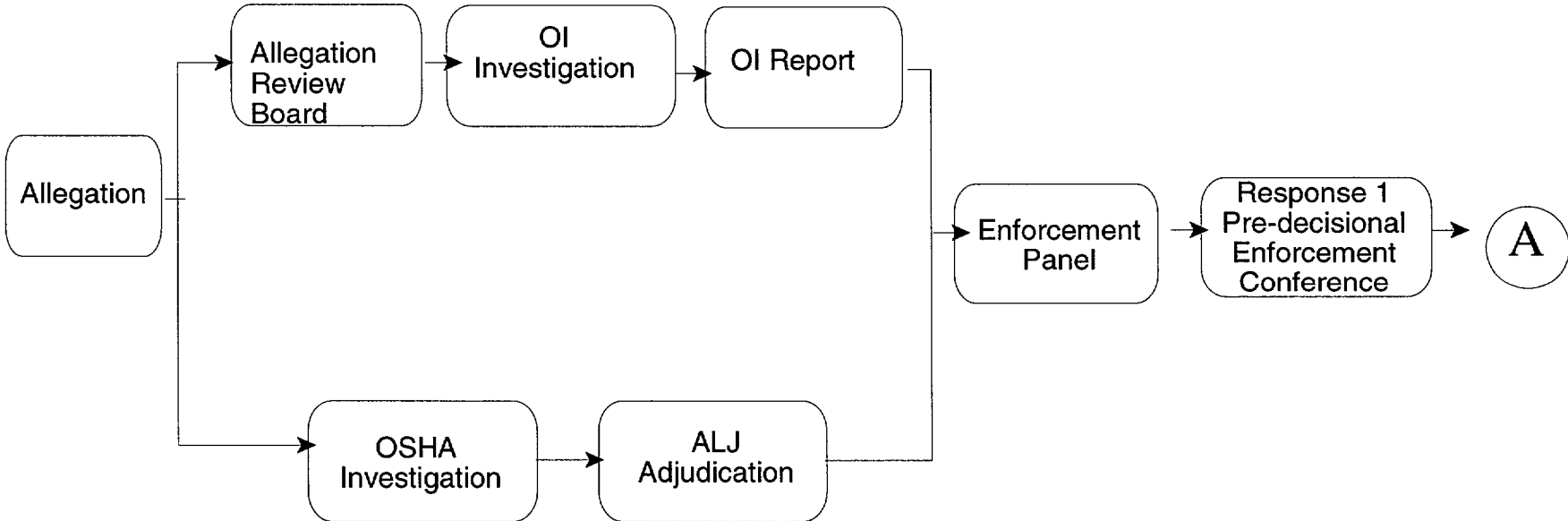
- Maintain NRC involvement in discrimination issues.
 - Eliminate deferral of cases to DOL.
 - Streamline the process to improve timeliness and allow release of redacted OI reports.
 - Modify the factors for determining Severity Level.
 - Severity of the adverse action.
 - Notoriety of the adverse action.
 - Benefit to the individual.
 - Did the protected activity involve participating in government processes.
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NOTABLE RECOMMENDATIONS-

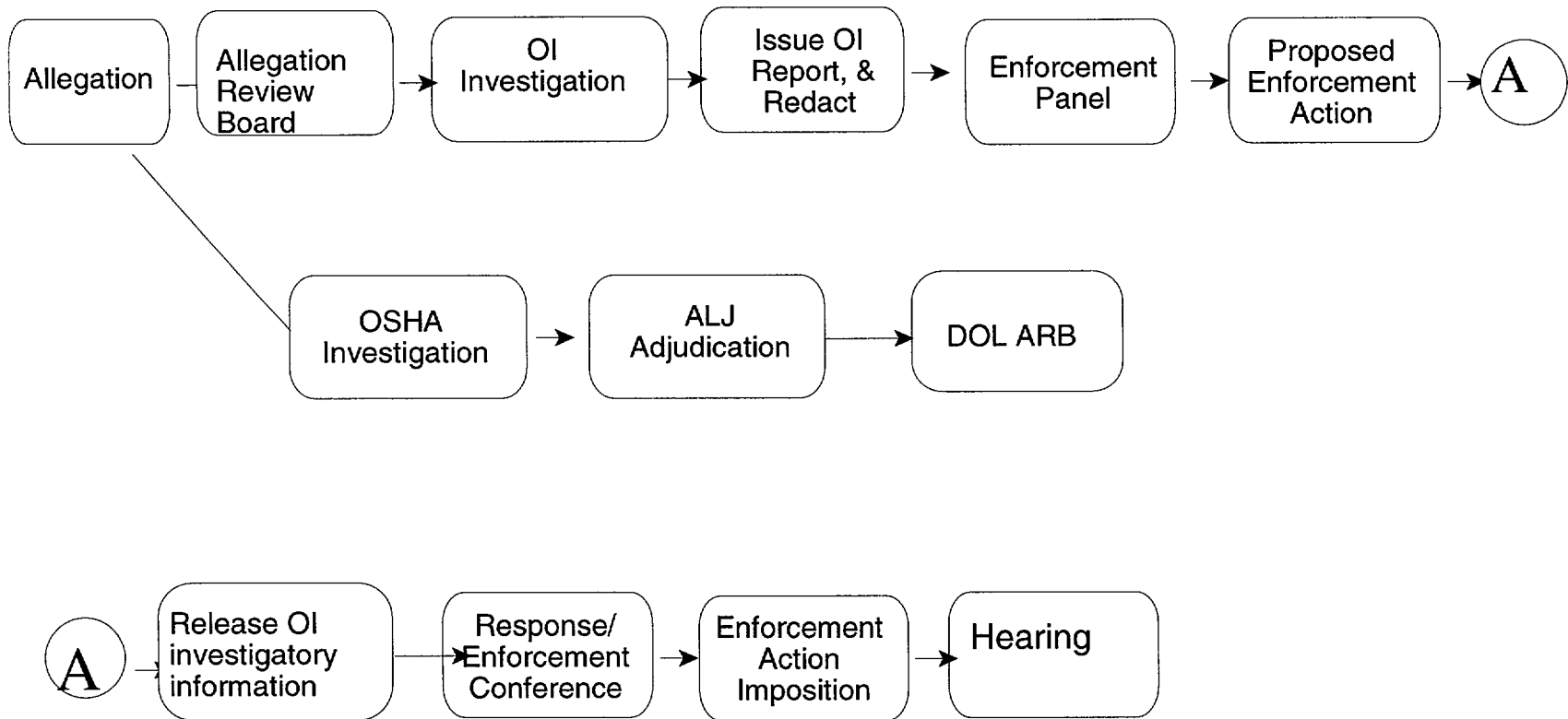
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- Provide financial support to the allegeders and one personal representative to attend PEC.
 - Modify regulations to allow assessing Civil Penalties to Contractors.
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CURRENT PROCESS



RECOMMENDED PROCESS

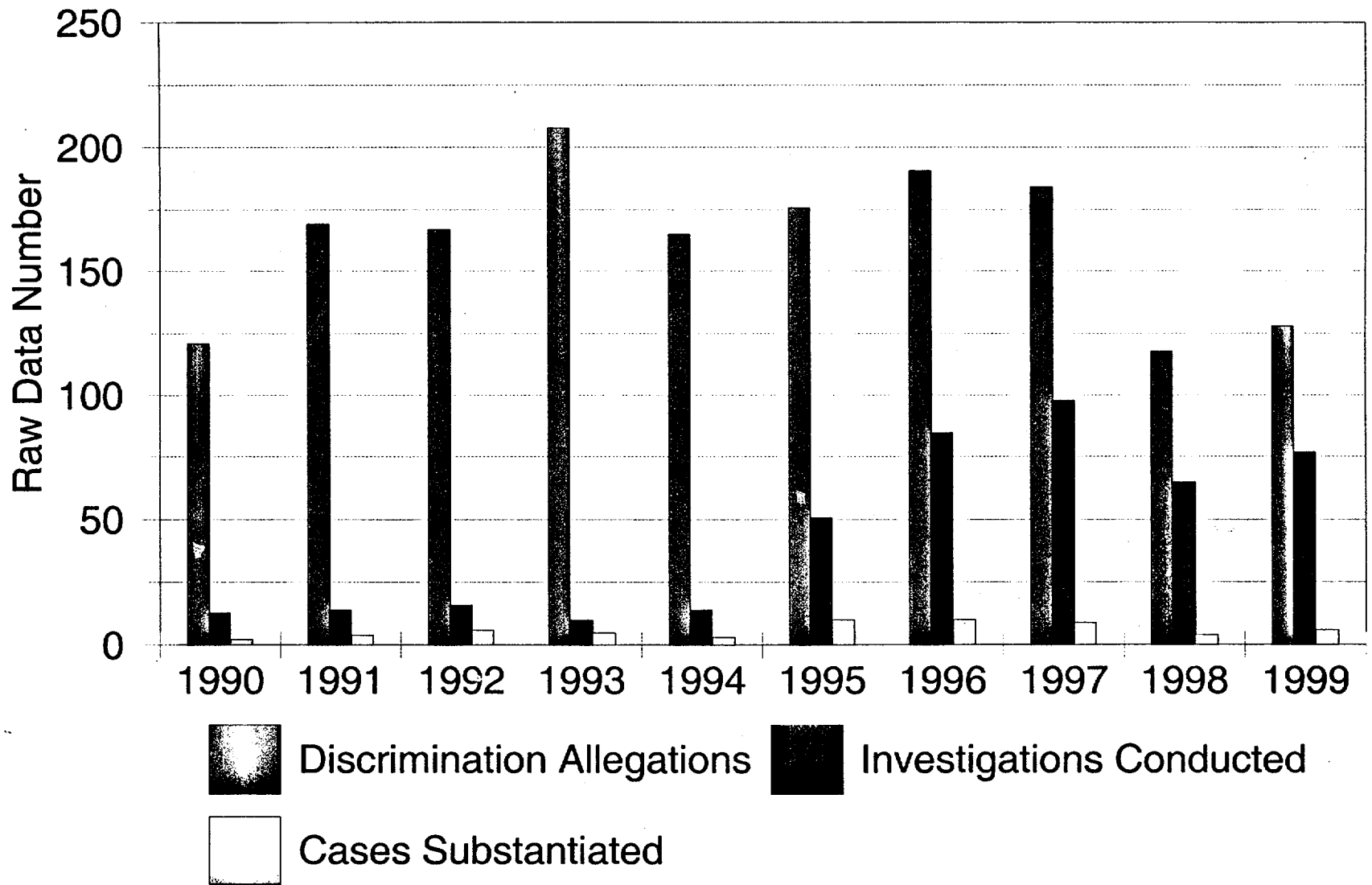


FUTURE ACTIVITIES

- Stakeholder Meetings and Feedback
 - Comments accepted until August 17, 2001
 - Issue Final Report to Commission
 - Disposition recommendations
 - Tasking to staff for evaluation and follow up
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Discrimination Cases

The 1990's



July 12, 2001

Dissemination Task Group Meeting.

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