



### Anonymous Submittals

Anonymous submittals are not considered under the provisions of this policy and therefore will be referred to the Office of Investigations, the Office of the Inspector General, or the appropriate Allegation Program Manager.

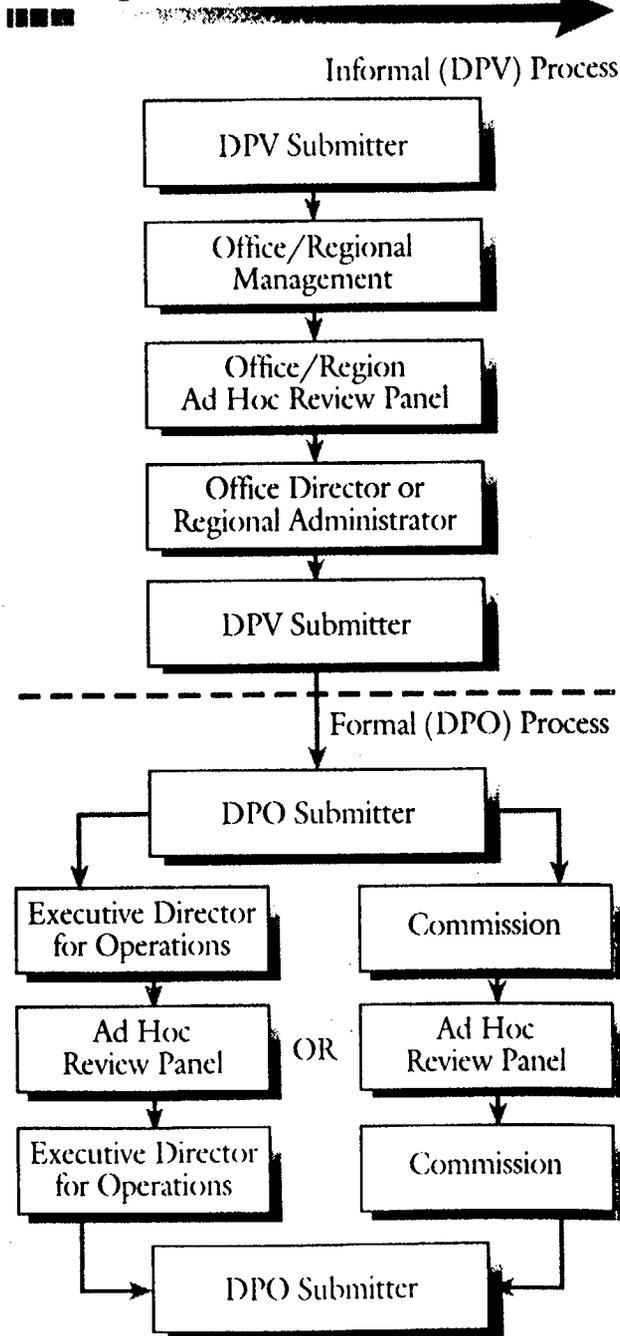
### What if I Believe I Have Been Retaliated Against Because I Used the Process?

NRC policy expressly forbids retaliation against an employee for exercising his or her responsibilities under Management Directive 10.159. If retaliation has occurred, disciplinary action can be taken against those responsible. If you believe someone has retaliated against you because of your submittal, report it to that individual's supervisor and the Inspector General.

For further information regarding this policy, please refer to Management Directive 10.159, Differing Professional Views or Opinions, approved 1996.

Should you have questions regarding Differing Professional Views or Opinions policies and procedures, contact the Director, Office of Personnel (301) 415-7516, for assistance.

## Differing Professional Views or Opinions



# NRC's Differing Professional Views and Opinions Process



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## Important Facts You Should Know

The United States Nuclear Regulatory Commission (NRC) is regularly faced with making difficult regulatory decisions affecting public health and safety. As a result, the Commission must have at its disposal the best information available and must ensure that the decision-making process includes and considers all points of view in an organizational climate that promotes open discussion.

In the free and open discussion of agency issues, professional differences of opinion are common. Individual employees are strongly encouraged to discuss their differing professional viewpoints with supervisors and managers, especially with their immediate supervisor, as a first step towards resolution of the issue.

In some cases, informal discussion may not resolve the matter, and an employee may remain convinced that the agency and the public would be better served if another opinion prevailed. At this point, the employee should utilize the Differing Professional View process.

## What Is a Differing Professional View?

A Differing Professional View (DPV) is a written expression of a professional judgment that differs from the prevailing staff view, disagrees with a management decision or policy position, or takes issue with a proposed or an established agency practice involving technical, legal, or policy issues.

It is not only the right but the duty of all NRC employees, including managers, to make known their best professional judgments on any matter relating to the mission of the agency. Remember, everyone – especially the general public and the Nuclear Regulatory Commission – can benefit when the agency resolves a DPV.

## How Do I Submit a DPV?

1. Write down your concern. Explain the issue, the background, where and why you disagree with the prevailing staff position, and the consequences should your position not be adopted by the agency. (If your concern is of an urgent safety nature, *immediately* relay it orally to your direct supervisor.)
2. Submit your written DPV to your immediate supervisor, who will forward it to your Office Director or Regional Administrator for processing.

## How Is a DPV Processed?

Within 5 calendar days, your Office Director or Regional Administrator will forward your submittal to an Ad Hoc Review Panel. One member of this Review Panel will be selected from a list of qualified individuals you may submit to serve on the panel. The Panel will review your DPV, interview you and others, and then make a recommendation to your Office Director or Regional Administrator. After reviewing the Panel's recommendation, your Office Director or Regional Administrator will make a decision on your DPV and advise you of the decision normally within 7 calendar days.

## What if I Disagree with the Result?

If you are not satisfied, you can submit your differing view through the Differing Professional Opinion (DPO) process, which provides a higher level of review decided by either the EDO or Commission.

## How Do I Submit a DPO?

You may submit your original DPV and any additional response to the decision regarding it, or you may draft a new written submittal and forward it to either the EDO or the Commission (e.g., if you work in AEOD, it goes to the EDO; if you work in OGC, it goes to the Commission).

The EDO or Commission may utilize qualified sources inside and outside the NRC to assist in reviewing the DPO. They will appoint an Ad Hoc Review Panel to review your DPO.

The EDO or Commission (as appropriate) will provide you with a decision normally within 30 calendar days after receipt of all solicited views requested by the EDO or Commission. Extenuating circumstances may cause a delay in making a final decision. In such cases, you should be advised of the time frame for considering the issue.

## Who Knows About My Concerns?

The DPV process is intended to involve a minimum number of people with a minimum amount of recordkeeping. Copies of your DPV and knowledge of your use of the process remain limited, usually within your Office or Region. The DPO process is a more formal process. Your concerns get broader distribution, including placing a copy of the written record in the Public Document Room.

## Confidential Submittals

If you wish to have a differing view considered as a DPV but desire confidentiality, you may submit an unsigned DPV to an NRC manager who agrees to forward it to the appropriate official.