

U. S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

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To: NRC Management Directives Custodians

Subject: Transmittal of Directive 10.160, "Open Door Policy"

Purpose: Directive and Handbook 10.160 have been revised to clarify "Chairman" in Section (B) of the handbook and update the Office of Personnel to the Office of Human Resources.

Office and Division of Origin: Office of Human Resources

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Volume: 10 Personnel Management

Part: 7 General Personnel Management Provisions

Directive: 10.160 Open Door Policy

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Open Door Policy

***Directive
10.160***

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HR

Open Door Policy Directive 10.160

Policy

(10.160-01)

This directive and handbook govern NRC policy, objectives, procedures, and responsibilities related to the expression of views directly to agency managers at all levels through the Open Door policy. (011)

The NRC strongly encourages all its employees to foster an atmosphere in the agency in which they may openly and freely discuss their views on critical issues, particularly those related to public health and safety. The free and open exchange of views or ideas conducted in a nonthreatening environment provides the ideal forum in which concerns and alternative views can be considered and addressed in an efficient and timely manner, much to the benefit of the agency and the public. (012)

Individual NRC employees are expected to discuss their views and concerns with their immediate supervisors on a regular, ongoing basis. On occasion, however, employees may wish to initiate discussions with other agency supervisors or managers about any work-related issue or concern. These supervisors or managers should consider and address those concerns and provide an appropriate response if possible. (013)

Objective

(10.160-02)

- To provide NRC employees with a channel for communicating concerns or issues directly to all levels of responsible agency officials. (021)
- To protect employees who use the Open Door policy from retaliation in any form because of their proper use of this policy. (022)

Organizational Responsibilities and Delegations of Authority

(10.160–03)

Director, Office of Human Resources

(031)

Requires all the headquarters and regional personnel offices to include an overview of the Open Door policy in the orientation for new employees.

Managers and Supervisors

(032)

- Should, to the extent practicable, consider and address those issues and concerns brought to them, work to resolve an employee's concerns, answer any questions, and honor any request for confidentiality. (a)
- Should not take or initiate any retaliatory action against any employee solely because that employee utilized or supported another employee who utilized the Open Door policy. However, this does not preclude supervisors from initiating, pursuing, or continuing to pursue unrelated personnel actions affecting employees who have used the Open Door policy. (b)

All Employees

(033)

- Are expected to discuss their views and concerns with their immediate supervisor on a regular basis. (a)
- May request a meeting with any agency manager or supervisor under the Open Door policy to air or attempt to resolve any issue or concern. (b)

Definitions

(10.160–04)

Manager/Supervisor. An employee who directs the work of an organization, is held accountable for specific line or staff programs or activities, or whose primary duties are managerial or supervisory.

Definitions

(10.160–04) (continued)

Open Door. The availability of all levels of NRC management to meet with employees to discuss and attempt to resolve issues and concerns.

Retaliation. Retaliation consists of any injurious actions taken against the employee because of the employee's expression or support of a concern.

Applicability

(10.160–05)

The policy and guidance in this directive and handbook apply to all NRC employees.

Handbook

(10.160–06)

The handbook provides guidance for the expression and resolution of employee concerns under the Open Door policy.

Open Door Policy

***Handbook
10.160***

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Guidance for the Expression of Concerns Using the Open Door Policy

Open Door (A)

Any employee may initiate a meeting with an NRC manager or supervisor, including a Commissioner or the Chairman of NRC, to discuss any matter of concern to the employee. An employee may request an Open Door meeting directly with the selected manager or supervisor without the approval of intermediate management. (1)

An employee's request for confidentiality will normally be honored by the manager or supervisor contacted under the Open Door policy except when the manager contacted is an NRC Commissioner. Each Commissioner is legally required to inform all other Commissioners of any information believed to be related to the responsibility or the function of the Commission. (This requirement for mandatory information sharing applies only to the Commissioners and does not extend to others within NRC.) Subject to this constraint, an employee's request for confidentiality made in connection with communications under the Open Door policy will normally be honored by the NRC manager unless (a) as a practical matter, it is impossible to convey the substance of the information without making known the identity of the employee; (b) disclosure of the employee's identity is essential for determination of the accuracy and reliability of the information; or (c) the employee's identity is required to be released by law. (2)

Managers and supervisors contacted will work to resolve an employee's concerns, to answer any questions, and to honor a request for confidentiality. Honoring a request for confidentiality may, however, limit a manager's or supervisor's ability to provide assistance or advice and counsel on matters of concern to the employee. (3)

Managers and supervisors should also advise employees of other channels to be used for the resolution of concerns such as NRC Management Directives (MDs) 10.159, "Differing Professional Views or Opinions," 10.100, "Appeals From Adverse Actions," and

Open Door(A) (continued)

10.101, “Employee Grievances.” If the contacted manager or supervisor believes that others should be notified of issues raised in these Open Door discussions, the manager or supervisor should notify the responsible offices (e.g., the Office of the Inspector General). (4)

Advisory Committees (B)

If the issue raised under the Open Door policy relates to a potential safety issue within the purview of the Advisory Committee on Reactor Safeguards (ACRS) or the Advisory Committee on Nuclear Waste (ACNW), an NRC employee may communicate orally or in writing, directly with the Chairman of the committee, or any member of the appropriate committee. Such communication may include a request for confidentiality. (1)

An NRC employee may also appear before the ACRS or ACNW or a subcommittee as deemed appropriate by the committee. The ACRS or ACNW will assure that issues raised under the Open Door policy are forwarded to the responsible NRC office director for information and/or action, as appropriate. (2)

Use of the Open Door Policy (C)

The Open Door policy was adopted to foster an atmosphere of open and free communication within the agency and underscore management’s intention to consider and address those issues and concerns brought to them. The Open Door policy should be used by all NRC employees with integrity and for the stated purposes.

Prevention of Retaliation

Any NRC employee who retaliates against another employee for expressing or supporting those who express concerns under the Open Door policy is subject to disciplinary action in accordance with MD 10.99, “Discipline, Adverse Actions, and Separations.” This applies to retaliatory actions and to all prohibited personnel practices specified in Section 2302, Title 5, U.S. Code. (1)

Employees who allege that retaliatory actions have been taken because of their expression or support of a concern under the Open Door policy may seek redress through other channels, such as the negotiated grievance procedure or through the formal grievance procedure described in NRC Management Directive 10.101. (2)