

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**SECRETARIAT RECORD COPY**

**Title:** BRIEFING ON EEO PROGRAM

**Location:** ROCKVILLE, MARYLAND

**Date:** DECEMBER 17, 1990

**Pages:** 78 PAGES

**NEAL R. GROSS AND CO., INC.**

COURT REPORTERS AND TRANSCRIBERS  
1323 Rhode Island Avenue, Northwest  
Washington, D.C. 20005  
(202) 234-4433

# DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on December 17, 1990, in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general informational purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

NEAL R. GROSS  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

- - - -

BRIEFING ON EEO PROGRAM

- - - -

PUBLIC MEETING

Nuclear Regulatory Commission  
One White Flint North  
Rockville, Maryland

Monday, December 17, 1990

The Commission met in open session,  
pursuant to notice, at 10:00 a.m., Kenneth M. Carr,  
Chairman, presiding.

COMMISSIONERS PRESENT:

KENNETH M. CARR, Chairman of the Commission  
KENNETH C. ROGERS, Commissioner  
JAMES R. CURTISS, Commissioner  
FORREST J. REMICK, Commissioner

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005

## STAFF SEATED AT THE COMMISSION TABLE:

JAMES TAYLOR, Executive Director for Operations

PAUL BIRD, Director, Office of Personnel

WILLIAM KERR, Director, Office of SDBU/CR

NEIL COLEMAN, Committee on Age Discrimination

RAYNARD WHARTON, Affirmative Action Advisory Committee

SAMUEL PETTIJOHN, NRC Chapter, Blacks in Government

MELANIE MILLER, Federal Women's Program Advisory Committee

WALTER SCHWINK, Joint Labor-Management/EEO Advisory Committee

JAMES THOMAS, National Treasury Employees Union

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

## P-R-O-C-E-E-D-I-N-G-S

10:01 a.m.

CHAIRMAN CARR: Good morning, ladies and gentlemen.

The Commission meets again today to hear a progress report on NRC's Equal Employment Opportunity Program. Twice annually, the NRC staff and our employee advisory committees meet with the Commission to discuss the status of our efforts to achieve EEO goals and objectives. This, our second meeting in 1990 on this subject, will update the information we received at our last meeting on May 3rd, 1990.

I want to welcome the representative of the National Treasury Employees Union, who is joining us at the table today for the first time in this series of meetings.

Mr. Thomas, we are pleased that you are able to participate in this session and look forward to hearing your views.

Equal employment opportunity as a concept is unambiguous, fundamental and simple. The term "EEO" means exactly what it says, that the avenues to hiring and advancement will be made available on an equal basis to all who seek the chance. There is no doubt in my mind that all of us at this table and in

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 the Agency fully and wholeheartedly support that  
2 concept.

3 To those of you who may be frustrated and  
4 disheartened that such a simple notion as equal  
5 employment opportunity should require continuing  
6 concentrated efforts to achieve in practice, I would  
7 note that there are no instant solutions available to  
8 us. EEO implementation takes place wholly in the  
9 context of individual personnel decisions that have to  
10 be made on a continuing basis at every level in the  
11 Agency.

12 What we at this table can do and are doing  
13 is to ensure that those decisions are made in a manner  
14 consistent with the EEO concept. We also need to  
15 constantly measure our progress in meeting EEO  
16 objectives while at the same time ensuring that in  
17 righting one wrong, we have not created another.  
18 That's the purpose of this meeting.

19 Do my fellow Commissioners have any  
20 comments they would like to make at this time?

21 If not, Mr. Taylor, please proceed.

22 MR. TAYLOR: Good morning. With me at the  
23 table, in addition to the Office Director's Bill Kerr  
24 and Paul Bird, are members of the EEO Advisory  
25 Committees and spokespersons for those committees.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 I'll introduce them. For the Committee on Age  
2 Discrimination, Neil Coleman; Affirmative Action  
3 Advisory Committee, Ray Wharton; the NRC Chapter of  
4 Blacks in Government, Sam Pettijohn; Federal Women's  
5 Program Advisory Committee, Melanie Miller; and the  
6 Joint Labor-Management EEO Advisory Committee, Walt  
7 Schwink. You've already introduced Jim Thomas.

8 I'm pleased to be here to show my support  
9 for equal opportunity programs here at the NRC. As  
10 Mr. Kerr will subsequently detail, over the past  
11 fiscal year we have increased the percentage of  
12 minorities and women on the overall staff and also in  
13 grades 11 and above.

14 Although we are pleased with those  
15 measures of successes, we recognize there's more to be  
16 done. For example, I'm working very hard on increased  
17 opportunities for our black employees and am  
18 personally spending a considerable amount of time on  
19 that subject. I'd like to see women represent a  
20 larger percentage of our senior grades and, of course,  
21 I want to be sure that age is not a discriminating  
22 factor for appraisals and promotions. These are just  
23 a few of the things I'll mention.

24 But I do believe, as you mentioned, Mr.  
25 Chairman, that these and other EEO problems are best

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1           solved at the individual level and by improved  
2           interaction between the employees and their immediate  
3           supervisors. We have worked on that subject this  
4           year. I'm pleased to note in the EDO's office within  
5           the past year we had a black grade 14 engineer  
6           selected to a grade 15 position, right out of my  
7           office, and just recently a grade 15 female engineer  
8           was selected for a section chief position, her first  
9           supervisory position. I take those small measures of  
10          success within my office as examples that the system  
11          can work.

12                        On the broader scale of working with  
13          individuals, at the last briefing I mentioned a  
14          special initiative I was instituting to use the  
15          individual development plans to improve career  
16          development. There are now a number of employees  
17          involved in this effort. Based on our experience with  
18          the pilot effort which we've been doing for blacks, we  
19          have now expanded the focus to all minorities and I  
20          plan to continue to work that problem very hard. I've  
21          also recently met with all office directors to discuss  
22          strategies that could be used and implemented to  
23          promote increased awareness and communication and  
24          opportunities at the level of the individual  
25          supervisor and the individual employee.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 I'm confident that with continued high-  
2 level management attention we'll continue to improve  
3 our posture in the NRC with regard to the  
4 representation of minorities and women at all levels.

5 At this time, I'd like to turn the  
6 briefing over to Mr. Kerr and the other presenters.

7 MR. KERR: Thank you, Mr. Taylor.

8 Mr. Chairman, we'll now hear the remarks  
9 from the Advisory Committees, starting with Neil  
10 Coleman for the Committee on Age Discrimination.

11 Neil?

12 MR. COLEMAN: Thank you, Mr. Kerr.

13 Good morning, Mr. Chairman, ladies and  
14 gentlemen. We are pleased to provide our second EEO  
15 briefing to the Commission this year.

16 Our committee includes men and women,  
17 young and middle aged, of many professions. We meet  
18 each month to discuss EEO issues related to potential  
19 age discrimination at the NRC. Our committee has been  
20 evaluating performance appraisals since 1982. As  
21 we've advised management in a number of reports, there  
22 has been strong statistical evidence of possible age  
23 discrimination for non-supervisory engineers and  
24 physical scientists at the NRC.

25 Performance appraisal data for the years

1 '87 through '89 showed that male engineers and  
2 physical scientists over age 50 received substantially  
3 lower ratings than those under 50. We've prepared  
4 several slides to illustrate these points.

5 May we have slide CAD-1, please?

6 (Slide) This chart shows trends in  
7 performance appraisals over a seven year period for  
8 non-supervisory staff. The horizontal axis shows  
9 fiscal years '83 to '89 and the vertical axis shows  
10 average appraisal scores for various groups. You can  
11 clearly see the inflation in performance appraisals  
12 that has occurred since FY '83. The highest line  
13 graph shows average scores for white employees. The  
14 line marked with asterisks shows the average score for  
15 all non-supervisory staff.

16 The next two lines show average scores for  
17 men over age 50. That's all non-supervisory men and  
18 non-whites. Year after year, these scores are  
19 significantly less than the staff average. The lowest  
20 line graph shows male physical scientists over age 50  
21 the lowest rated group we have found.

22 (Slide) May we have the second slide,  
23 please?

24 This chart again shows the average staff  
25 scores, that's the top line, and scores from male

1 physical scientists over 50. It also shows scores  
2 from male engineers over age 50. That's the second  
3 line down. The scores for black men, that's the third  
4 line down. The point of the chart is to show three  
5 groups that are rated substantially lower than the  
6 staff average.

7 We're gratified that the EDO has brought  
8 imbalances and appraisal ratings to the attention of  
9 NRC managers and supervisors in his recent memorandum  
10 dated September 11th. We don't claim to know the best  
11 ways to address these imbalances, but simply  
12 communicating this information to supervisors, as the  
13 EDO has done, is a good way to begin.

14 To keep the Commissioners better informed  
15 about EEO concerns, we recommend that future  
16 briefings, EEO briefings, include a presentation by a  
17 representative of the EEO counselor's group. These  
18 hard-working volunteers deal with EEO concerns on a  
19 day to day basis. General information about the work  
20 of the counselors is presented to you by Bill Kerr,  
21 Director of Office SDBU/CR. However, a representative  
22 of the counselors could provide a different  
23 perspective from that of the Committees which advise  
24 management but aren't involved with EEO complaint  
25 actions. The extensive work done by the counselors

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 is, I believe, unheralded, but forms the cornerstone  
2 of EEO in action.

3 Further, we recommend that NRC's training  
4 program for supervisors and managers, as related to  
5 EEO, be reevaluated with respect to its goals and  
6 objectives. Perhaps a new approach is needed.  
7 Representatives from the EEO committees and the  
8 counselor's group could attend some of the training  
9 sessions and through their participation help expand  
10 awareness of the seriousness of EEO programs and  
11 objectives. We've been informed this is being  
12 considered by the Office of Personnel.

13 We envision a work force of management in  
14 the federal government that recognizes the wealth of  
15 experience, expertise and wisdom that's possessed by  
16 its older staff members. At the NRC, these people  
17 have the most regulatory experience in dealing with  
18 health and safety issues for the nation's nuclear  
19 reactors and fuel and waste cycles. We shall continue  
20 working to ensure that this vision becomes and remains  
21 a reality.

22 Thank you.

23 MR. KERR: Thank you, Neil.

24 We'll now hear from Ray Wharton with  
25 Affirmative Action Advisory Committee.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 MR. WHARTON: Mr. Chairman, Commissioners,  
2 good morning.

3 The AAAC appreciates the opportunity to  
4 meet with you today and discuss some of our concerns  
5 regarding affirmative action. I will focus my  
6 presentation this morning on three major areas, our  
7 preliminary review of the 1989 performance appraisal  
8 data, our review of the NRC rotational assignment  
9 policy, and our reevaluation of the employee  
10 suggestion survey results.

11 Our preliminary assessment of the 1989  
12 performance appraisal ratings indicates the percentage  
13 of outstanding performance appraisal ratings remain  
14 virtually unchanged for white males in grades 13  
15 through 15, white females in grades 1 through 8 and 9  
16 through 12, and black females in grades 1 through 8.  
17 Several groups received lower ratings in 1989 compared  
18 to 1988, both in average ratings and outstandings.  
19 However, group populations remain about the same. The  
20 employee groups for which the trend is markedly  
21 downward are all minorities, black males in grades 1  
22 through 8 and 13 through 15, black females in grades 9  
23 through 12 and Asian males in grades 13 through 15.

24 Our concerns are that white males in  
25 grades 13 through 15, age 45 and older, continue to

1 receive lower performance appraisal ratings than their  
2 younger counterparts, which suggests possible age  
3 biases. Additionally, we're concerned with the  
4 downward trend of the minority employee's performance  
5 appraisal ratings in '89 which suggests possible  
6 ethnic biases.

7 We believe that management needs to focus  
8 more attention on these issues. We recommend that  
9 first level supervision and management be made more  
10 aware of performance appraisal disparities and be  
11 encouraged to maintain an increased sensitivity to  
12 this issue. Additionally, we recommend revising the  
13 performance appraisal process to lessen the  
14 subjectivity involved in rating an employee's  
15 performance, such as developing objective-oriented  
16 elements and standards.

17 Rotational assignment policy. On July  
18 13th, we issued a memorandum to OP and made  
19 recommendations regarding a mechanism for evaluating  
20 the rotational assignment policy. We received a  
21 response that indicated a survey had been conducted  
22 and the results were overwhelmingly favorable by both  
23 the employees and supervisors. Additionally, we  
24 requested employee profile data for rotational  
25 assignments during the period of June 1st, 1989

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 through June 30th, 1990.

2 Our preliminary review of this data  
3 indicates an apparent contrast in individual  
4 participation based on gender, ethnicity and grade  
5 level. White males in grades 12 through SES  
6 participate in approximately 60 percent of all  
7 rotations. White females experience a fairly even  
8 distribution in grades 6 through SES and they  
9 accounted for approximately 24 percent of all  
10 rotations. In contrast, minority male employees  
11 experienced limited participation and only in grades  
12 13 and above. There were three black males that  
13 participated, six Asian males and four Hispanic males.

14 The AAAC believes that for the rotational  
15 assignment policy to effectively fulfill its purpose  
16 it should reflect more diversity among its  
17 participants.

18 Employee suggestion results. During the  
19 last EEO briefing, we reported results of our employee  
20 suggestion survey analysis and recommendations to  
21 address some of those concerns. We received a  
22 response that indicated that since attrition is low,  
23 morale is perceived as good and that no further action  
24 is warranted regarding career and promotional  
25 opportunities. After reviewing this response, we

1 reevaluated our concern and have expanded it to  
2 include all NRC employees and not just minorities.  
3 Although minorities expressed greater dissatisfaction  
4 in the survey, the difference between the minority and  
5 majority response were not statistically significant.  
6 We also requested a specific basis for the conclusion  
7 that morale is perceived as good.

8 In conclusion, the Affirmative Action  
9 Advisory Committee believes that these concerns with  
10 performance appraisal disparities, rotational  
11 assignment participants, and career and promotional  
12 opportunities affect the entire agency work force and,  
13 if adequately addressed will increase productivity,  
14 enhance morale and ensure the fair treatment of all  
15 Agency employees.

16 Questions?

17 CHAIRMAN CARR: Thank you.

18 MR. KERR: Thank you, Ray.

19 Sam?

20 MR. PETTIJOHN: Thank you, Mr. Kerr.

21 Mr. Chairman, Commissioners, my name is  
22 Sam Pettijohn and I'm here to represent the NRC  
23 Chapter of Blacks in Government. Blacks in Government  
24 is a nonprofit corporation that's dedicated to the  
25 professional and cultural development of black

1 government employees throughout all levels of  
2 government. We appreciate the opportunity to address  
3 the Commission today.

4 The NRC Chapter of Blacks in Government  
5 has participated in these semi-annual briefings since  
6 November 1984. At this briefing, we have two issues  
7 to present.

8 First we'd like to call attention to  
9 recent significant progress regarding equal employment  
10 opportunity for black employees at NRC. The progress  
11 was demonstrated through a historical meeting that the  
12 Executive Director of Operations held with black  
13 employees on November 14, 1990 in which he assured  
14 black employees that he is committed to provide an  
15 environment at NRC where employees have an equal  
16 opportunity to succeed, limited only by their talents,  
17 capabilities and drive. Mr. Taylor, in making a  
18 commitment to provide an environment where employees  
19 have an equal opportunity to succeed challenged black  
20 employees to do the best in current jobs, to be  
21 prepared to do what it takes to get the job done, and  
22 to seek out the tough and challenging assignments.

23 The NRC Chapter of Blacks in Government  
24 applaud Mr. Taylor's stated commitment to equal  
25 opportunity at NRC, including his commitment to

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 provide resources for training opportunities to  
2 support career plans, his commitment to continue to  
3 support and monitor the career initiatives efforts  
4 which has been put into place, and its commitment to  
5 hold supervisors accountable for their performance in  
6 support of equal opportunity and in the development of  
7 their staffs.

8 We pledge our support in this effort and  
9 stand ready to assist in any way that we can. In the  
10 immediate future, we will be conducting one on one  
11 peer discussions with interested employees. This will  
12 involve a volunteer group of employees assisting black  
13 employees in developing the strategies for career  
14 development.

15 The second issue we wanted to address  
16 relates to black employees on Commissioner staffs. We  
17 proposed that in addition to the above efforts  
18 undertaken to improve equal employment opportunity at  
19 NRC that the Commission seek to set a further example  
20 of equal employment opportunity through staff  
21 selections that reflect the diversity of the NRC  
22 employee population. We would like to see at least  
23 one black employee on each Commissioner's staff.  
24 Currently, one Commissioner's staff includes one black  
25 employee.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1           We believe that the representation of  
2 black employees at the Commission level is important  
3 for two reasons. One, it will help demonstrate to  
4 black employees that there are no artificial levels  
5 that limit our level of advancement. Two, it can  
6 better demonstrate through first and second level  
7 manager/supervisors that the NRC is committed to equal  
8 employment opportunities that result in diversity at  
9 all levels of work.

10           We sincerely believe that black employees  
11 who meet the qualifications to work on Commissioner's  
12 staffs are present at NRC.

13           In closing, I'd like to say that we look  
14 forward to continued progress in improving equal  
15 employment opportunity at NRC and to our continuing to  
16 have the opportunity to participate in the EEO  
17 briefings.

18           This concludes my remarks.

19           MR. KERR: Thank you, Sam.

20           We'll now go to Melanie Miller with the  
21 Federal Women's Program Advisory Committee.

22           MS. MILLER: Thank you.

23           Good morning, Mr. Chairman and  
24 Commissioners. My name is Melanie Miller and I am the  
25 Chairperson for the Federal Women's Program Advisory

1 Committee here at NRC, recently elected to this  
2 position this past November. The Committee is pleased  
3 to have this opportunity to speak with you.

4 First, I would like to advise you of a  
5 major initiative which FWPAC is undertaking. We are  
6 in the process of implementing a plan to identify  
7 issues that affect women which are important to NRC  
8 staff and managers. We believe this information is  
9 essential to plan and prioritize FWPAC's activities  
10 for the remainder of fiscal year 1991 and into future  
11 years. We anticipate collecting this information  
12 through discussions and direct survey of employees and  
13 managers. This information will then serve as a  
14 foundation for future FWPAC objectives and strategies  
15 to ensure that we are truly addressing those issues  
16 important to our co-workers at the Agency.

17 We consider this survey to be our highest  
18 priority and are devoting considerable effort to it.  
19 We anticipate completion by March or April 1991 and  
20 will report progress on this initiative during our  
21 next opportunity to brief the Commission.

22 This past May when the Committee addressed  
23 you, we conveyed our concern regarding the under  
24 representation of women in Senior Executive Service  
25 positions. We would like to reemphasize our concern

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 in this regard and provide some constructive  
2 suggestions.

3 In fiscal years '89 and '90, 30 initial  
4 SES appointments have been made, 28 of them by  
5 competitive selection. Of these 28 positions, one or  
6 more women applied for 16 of them and women were  
7 identified as best qualified candidates in six.  
8 However, in no case was a woman selected. The women  
9 identified as best qualified for these six positions  
10 represented 16 percent of the pool of best qualified  
11 candidates. Statistically, at least one of these  
12 positions should have gone to a woman applicant. But  
13 as I've mentioned, this did not occur.

14 We recognize that the Agency as a whole is  
15 doing an admirable job in attracting a good number of  
16 qualified entry level women. However, while enhancing  
17 the pool of qualified women for future SES positions,  
18 this increase in the percentage of women in non-  
19 clerical positions emphasizes the gap between the  
20 percentage of women in the work force and the  
21 percentage of women in SES positions. FWPAC believes  
22 it is now time to concentrate on increasing the number  
23 of women in SES positions by setting realistic annual  
24 goals. We believe that NRC's annual goal should be  
25 set to ultimately achieve a representation of women in

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 SES that is equivalent to the percentage of non-  
2 clerical women employees at the NRC.

3 We are aware of the recent performance  
4 appraisals done by the Office of Personnel and commend  
5 personnel for a thorough analysis, the results of  
6 which were provided to all employees. We note that a  
7 higher incidence of women receive outstanding  
8 performance appraisal evaluations than their male  
9 counterparts. This information would tend to support  
10 our thesis that technically qualified, competent women  
11 are currently available in this Agency for selection  
12 to SES positions and we are disappointed that this  
13 fact is not reflected in SES appointments.

14 FWPAC believes there are specific actions  
15 that can be taken to enhance career development and  
16 recognition of qualified women and reach what I am  
17 sure is a common goal of increasing the number of  
18 women in SES. First, we understand that OP plans to  
19 create a position devoted specifically to address  
20 career development for women and minorities. We  
21 applaud this move and would encourage the  
22 establishment of this position as soon as possible.  
23 This position could then become the focal point for  
24 further initiatives, including promoting women's  
25 opportunities for obtaining rotational assignments

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 keyed to career progression.

2 Of the 111 rotational assignments in  
3 technical positions between June 30th, 1989 and June  
4 30th, 1990, women participated in only nine, or less  
5 than eight percent. Because the majority of SES  
6 positions are considered technical, women should be  
7 encouraged to participate in such career enhancing  
8 rotational assignments.

9 We acknowledge that the NRC has recognized  
10 women's managerial potential by selecting them to  
11 participate in such in-depth training assignments as  
12 the Executive Potential Program for mid-level  
13 employees, and the Women's Executive Leadership  
14 Program. However, the fact remains that of 22  
15 graduates of the Executive Potential Program between  
16 fiscal years '86 and '89, 12 of them women, only two  
17 men have reached SES positions.

18 As women observe the SES selections, the  
19 managerial promotions of persons participating in  
20 developmental programs and rotational assignments,  
21 it's possible that a glass ceiling is perceived.  
22 Women are seen as possessing managerial qualifications  
23 by peers and line management, but cannot break through  
24 to more responsible positions.

25 FWPAC also recommends that emphasis be

1 given to increasing the participation of women and  
2 enhancing their understanding of the potential  
3 benefits of the IDP process. We realize that IDPs are  
4 currently available to all employees. However, we  
5 suggest that NRC promote special emphasis of the use  
6 of IDPs by women employees.

7 Last May, FWPAC suggested that one out of  
8 four SES positions go to women. Since we have not  
9 made progress toward that recommendation, we suggest a  
10 more reasonable attainable goal over the next year and  
11 beyond. We recommend that one of two SES positions  
12 for which women have been selected as best qualified  
13 candidates should go to a woman or other minority  
14 candidate.

15 To give you an idea of the impact of our  
16 recommendation, women were best qualified candidates  
17 for slightly more than 20 percent of the competitive  
18 SES positions over the last two fiscal years. A 50  
19 percent selection rate would then equate to about ten  
20 percent of the positions over the last two years or  
21 about three women or minorities out of 28 selections.  
22 We include minorities because FWPAC realizes that  
23 women are not the only group under represented in the  
24 SES ranks. While we are certainly interested in  
25 furthering women's career process, we do not want to

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 do so at the exclusion of the interests of other  
2 groups. A balance of interest needs to be achieved.

3 In closing, I think it is worthwhile to  
4 point out some information contained in a fall 1990  
5 special issue of *Time* magazine entitled, "Women: The  
6 Road Ahead." According to an article in the Changing  
7 American Work Force, "The U.S. is about to undergo the  
8 most wrenching shifts in the composition and quality  
9 of the work force in more than a half century.  
10 American is facing a deepening shortage of skilled  
11 labor in the decades just ahead. During the next ten  
12 years, the U.S. population and labor force will expand  
13 more slowly than at any other time since the 1930s.  
14 While the labor force will grow slowly, two-thirds of  
15 the increase will be women starting or returning to  
16 work. Most startling, only 9.3 percent of the new  
17 workers will represent white, non-Hispanic, U.S. born  
18 men and over the next several years women will make up  
19 the majority of new skilled and educated workers."

20 We believe that our suggestions, including  
21 utilizing the OP position to women's best advantage,  
22 encouraging career-enhancing rotational assignments,  
23 emphasizing IDP development for women, and selecting  
24 women or minorities to 50 percent of the SES positions  
25 for which women are best qualified candidates will

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 help NRC adapt to such changing demographics. A  
2 diverse management group, including women, will help  
3 NRC attract and retain qualified women, allowing this  
4 agency to be seen as one possessing a positive work  
5 environment, thus becoming a more effective  
6 organization in coping with the increased competitive  
7 labor market foreseen.

8 As we suggested in May, we still believe a  
9 semi-annual review of progress in this regard to the  
10 Commission is warranted.

11 Thank you for your time and attention.

12 MR. KERR: Thank you, Melanie.

13 Walt Schwink, Joint Labor-Management  
14 Committee.

15 MR. SCHWINK: Thank you.

16 Good morning, Mr. Chairman and  
17 Commissioners. I am the Chairman of the Joint Labor-  
18 Management Equal Employment Opportunity Committee  
19 which was established by the NRC and NTU collective  
20 bargaining agreement to advise NRC management on EEO-  
21 related matters. On behalf of the committee, I  
22 appreciate this opportunity to discuss EEO-related  
23 matters with the Commission.

24 Since last meeting with the Commission,  
25 the committee met with several of the NRC's EEO

1 counselors, the NTU president, the directors of  
2 several offices, including NRR, NMSS, OP, and SDBU/CR,  
3 and with several of the NRC's physically disabled  
4 employees. The committee focused on perceptions of  
5 EEO rather than EEO statistics. I would like to share  
6 some insights from these meetings with you along with  
7 the committee's recommendations concerning some of  
8 these insights.

9 First, I want to discuss some of the  
10 insights from the committee's meeting with several of  
11 the NRC's EEO counselors. The counselors are often  
12 the first to hear employees' perceived EEO-related  
13 concerns. In this regard, the counselors have unique  
14 perspectives on employee perceptions that are not  
15 communicated by EEO statistics. Overall, the  
16 counselors are of the view that the EEO numbers do not  
17 convey that the EEO at the NRC is constant rather than  
18 improving. In one year, an experienced counselor is  
19 contacted by as many as 40 to 50 employees raising  
20 perceived EEO concerns. Most contacts concern age  
21 discrimination. Slightly fewer contacts concern  
22 discrimination on the basis of race and sex.  
23 Discrimination concerning a handicap is seldom raised.

24 Although counselors volunteer themselves  
25 to be information gatherers, advisors and mediators

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 for managers as well as employees, some managers  
2 ignore them or view them as adversarial rather than  
3 valuable resources for addressing employee EEO  
4 concerns in the informal and formal stages. Some  
5 managers perceive that only a formal structure is  
6 available to them for addressing EEO concerns. The  
7 counselors believe the single most important EEO  
8 improvement that could be made is the improvement of  
9 communications between managers and employees.

10 In this regard, the counselors noted that  
11 Commission meetings concerning EEO are not well  
12 publicized to employees. Furthermore, counselors are  
13 not afforded the opportunity to discuss EEO-related  
14 matters with the Commission.

15 Along these same lines, I want to discuss  
16 similar insights from the committee's meeting with the  
17 President of the National Treasury Employees Union.  
18 The NTU President's EEO-related concerns were similar  
19 to those of the EEO counselors previously discussed.  
20 Specifically, counselors are a valuable resource for  
21 obtaining perceptions about employee EEO-related  
22 concerns and addressing those concerns. The  
23 counselors have valuable insights for addressing EEO  
24 generic concerns through regular involvement in  
25 meetings and briefings pertaining to EEO. Another

1 area of concern is the recurrence of the same EEO  
2 concerns, indicating the need for constructive follow-  
3 up actions after EEO concerns are resolved to prevent  
4 their recurrence.

5 Next, I want to discuss some of the  
6 insights from the committee's meeting with the  
7 directors of several offices, including NRR, NMSS, OP  
8 and SDBU/CR.

9 First, there needs to be frequent, clear  
10 and consistent signals given through the entire  
11 management structure to employees concerning the  
12 importance of EEO and its implementation relative to  
13 other important NRC matters.

14 Second, there's a need to change the  
15 perception that EEO is inconsistent with recruiting  
16 the best people in an effective, efficient and timely  
17 manner.

18 Third, there's a need to train managers  
19 and employees with counselor participation to  
20 highlight the counselor's important role and emphasize  
21 how to implement EEO consistent with practical  
22 constraints.

23 Fourth, effective communications among  
24 managers, employees and counselors, before, during and  
25 after actions affecting employees is needed to

1 substantially reduce EEO-related concerns.

2 Fifth, there is a need for managers to  
3 know in a generic sense the number and, more  
4 importantly, the substance of employee contacts with  
5 EEO counselors. While statistical information is  
6 useful, the emphasis needs to be on employee EEO  
7 perceptions and attitudes.

8 Sixth, the individual development plan  
9 process needs dedicated management and employee  
10 involvement and strong management support to promote  
11 employee development along a career path that is  
12 mutually beneficial to the NRC and the employee.

13 Seventh, there's a need to increase the  
14 number of NRC awards in recognition of manager and  
15 employee EEO contributions.

16 Eighth, in order to have a competitive  
17 representation of minorities and females at increasing  
18 grade levels, including SES, opportunities must be  
19 provided for those that are qualified to received  
20 developmental assignments where they can demonstrate  
21 ability and potential.

22 Ninth, in lieu of not deciding in a  
23 disciplined way which EEO-related generic concern  
24 should be addressed, all concerns are being pursued  
25 regardless of their net value to the NRC or employees.

1 EEO-related generic concerns need to be prioritized  
2 for resolution relative to their net value in terms of  
3 feasibility, practicality, benefits, costs, schedules,  
4 available resources and with other important matters  
5 will not be addressed.

6 Next, I want to discuss some of the more  
7 important insights from the committee's meeting with  
8 several employees having sight or mobility  
9 disabilities. The employees were very complimentary  
10 of the NRC's recruitment, support and accommodations  
11 concerning the physically disabled. A few existing  
12 impediments of safety or access nature were identified  
13 to the committee. Overall, the employees were  
14 comfortable with NRC's safety precautions for the  
15 physically disabled in One White Flint North.

16 A safety concern raised is the impediment  
17 of a disabled person's ingress and egress due to  
18 obstacles such as boxes in aisles. An impediment to  
19 access is the NRC's lack of specially equipped shuttle  
20 transportation for mobility disabled persons,  
21 especially those in a wheelchair. The Commission may  
22 want to further consider and evaluate these concerns.  
23 The Committee with further pursue identification of  
24 EEO-related concerns in this area in the near future.

25 Based on the insights obtained by the

1 Committee in the areas I've previously described, the  
2 committee has the following six recommendations for  
3 EEO enhancement.

4 Number one, the committee recommends that  
5 managers, employees and counselors as units should  
6 receive EEO training to facilitate communications,  
7 increase awareness and understand what EEO is,  
8 including its legal description in processes and the  
9 informal and formal interactions between managers,  
10 employees and counselors.

11 Number two, the committee recommends that  
12 counselor contacts and their nature, together with  
13 counselor perspectives and recommendations, should be  
14 provided routinely to the Commission and its managers  
15 as an integral part of meetings and deliberations  
16 pertaining to EEO.

17 Number three, the committee recommends  
18 that managers, employees and counselors as units meet  
19 routinely to discuss EEO-related generic concerns.

20 Number four, the committee recommends that  
21 semi-annual EEO Commission briefings be publicized in  
22 an EEO announcement to all employees, inviting them to  
23 raise EEO-related concerns to one or all of the EEO  
24 committees for possible discussion at the briefing. I  
25 am pleased to report that this recommendation was

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 implemented in time for today's briefing.

2 Number five, the committee recommends that  
3 after EEO-related concerns are resolved, constructive  
4 follow-up actions be taken to detect and therefore  
5 minimize the potential for recurrence.

6 Number six, the committee recommends that  
7 the entire management structure increase its  
8 sensitivity to potential EEO concerns and focus on  
9 effective communications to eliminate  
10 misunderstandings that cause people to believe that  
11 they have been unfairly treated in the context of EEO.

12 The committee is very appreciative of the  
13 candor of managers and employees who met with the  
14 committee. Bill Kerr and Paul Bird have been very  
15 interested in pursuing those EEO-related concerns,  
16 insights and recommendations offered by the committee.  
17 In this regard, they appear anxious to work with all  
18 the EEO committees to address EEO matters, possibly  
19 through some strategic, integrated planning process  
20 involving the identification and prioritizing of long  
21 and short-term goals and objectives.

22 Thank you for this opportunity to share  
23 these EEO-related insights and the committee's  
24 recommendations. This concludes my presentation.

25 CHAIRMAN CARR: Thank you.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 MR. KERR: Thank you, Walt.

2 We'll now hear from Jim Thomas.

3 MR. THOMAS: I'd like to start off by  
4 thanking the Commission for inviting me to participate  
5 in this EEO briefing.

6 The focus of the Union in EEO matters is  
7 somewhat different from the presentations you've heard  
8 thus far this morning. Our role in the process has  
9 been primarily over the past 12 years representing  
10 employees who wish to file an EEO complaint. One of  
11 the main concerns that we've developed over the years  
12 is basically a concern of the lack of response of  
13 management at the end of the process whenever a  
14 complaint is settled. We have a perception that there  
15 is no follow-up training regarding the manager who was  
16 found to have committed an EEO violation. We think  
17 that's something that the Commission needs to address.

18 The second concern I'd like to bring to  
19 your attention is the lack of information that seems  
20 to be flowing to upper management regarding your EEO  
21 posture. Basically, your sole source of information,  
22 from what I can determine, is data regarding EEO  
23 complaints have been filed and briefings such as the  
24 one Mr. Bird will give this morning regarding the  
25 statistical changes in the make-up of the Agency that

1 occurred during the past year. That information  
2 doesn't really tell you whether or not the Agency has  
3 an EEO problem. It tells you changes, but EEO  
4 problems are on an individual level. When an  
5 individual applies for a job vacancy and they're  
6 considered, they're a best qualified candidate, they  
7 stand equal on an objective basis to everyone on that  
8 best qualified list. If you have a situation where  
9 one group is being left out in a selection process,  
10 the Commission really has no way of monitoring that.

11 What the Union is proposing in our  
12 contract objectives for the current bargaining session  
13 is that the Agency, in fact, develop a broad database  
14 that you'd track every applicant for every position.  
15 You track every supervisor who makes a selection. You  
16 track the best qualified list and you track the  
17 selectees to see if there is a major change between  
18 the -- or difference between the body of best  
19 qualified candidates for a position versus the body of  
20 selectees. This will provide, in our view, an early  
21 warning system to management where EEO problems do not  
22 have to be addressed through formal EEO complaints and  
23 years of litigation. Management would have a very  
24 early warning regarding an individual who was having a  
25 problem selecting older employees.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1           Our perception right now in the area of  
2 age discrimination is there's a large number of EEO  
3 complaints that are sitting out there waiting to  
4 happen. Statistics are there to prove a complaint  
5 right now and this would allow management in an early  
6 process to address that and possibly provide some  
7 training to these managers before they get involved in  
8 an EEO complaint.

9           Thank you.

10          CHAIRMAN CARR: Thank you.

11          MR. KERR: Thank you, Jim.

12          Mr. Chairman, I'd like to now take you  
13 through the briefing charts which reflect changes in  
14 the Agency's EEO status through the end of last fiscal  
15 year.

16          (Slide) Our first chart, as in the past  
17 briefings, the increases for minorities and women on  
18 staff continue. Over the period, women went from 1022  
19 to 1063, an increase of 3.9 percent. Total  
20 minorities, which groups blacks, Asians, Hispanics and  
21 native Americans, reflects an increase of 3.8 percent.

22          (Slide) As chart number 2 depicts, from  
23 '89 through '90, both women minorities increased in  
24 grades GG-11 and above. Women increased by 10.5  
25 percent and minorities by six percent.

1 (Slide) Contrast this with the chart  
2 number 3, which shows a decline continues for non-  
3 minority males of 11 and above, a loss of 14 males  
4 from '89 through '90.

5 (Slide) Go to chart 4.

6 The next series of charts starting with  
7 number 4 show what is happening with the SES feeder  
8 population. There was a nominal increase in men over  
9 the period, from 1639 to 1646, the total increase  
10 being a GG-14.

11 (Slide) Compare this with the numbers on  
12 chart 5 and we see that there was an increase in women  
13 at GG-13 through 15, from 257 to 293, an increase of  
14 12.3 percent.

15 (Slide) The next series of charts,  
16 beginning with number 6, reflects increases for all  
17 ethnic groups at 13 through 15 except native  
18 Americans. Black employees went from 105 to 113, an  
19 increase of 7.1 percent.

20 (Slide) The increases on chart 7 and 8  
21 were a nominal 5.1 percent and 4 percent respectively.

22 (Slide) As I have indicated, the numbers  
23 remain the same on chart 9 for native Americans.

24 (Slide) I'd like to now direct your  
25 attention to Chart 10, which shows the make-up of our

1 SES. During the brief period since the last briefing,  
2 we had an increase of one black and one Hispanic in  
3 the SES. Women presently make up 4.3 percent of the  
4 SES and minorities 7.6 percent.

5 (Slide) Chart number 11 shows the Agency  
6 complaint activity. During FY '90, our 28 EEO  
7 counselors conducted 71 informal counseling sessions.  
8 As attributed to our counselors' competence and the  
9 cooperation of Agency management, only six formal  
10 complaints came forward in FY '90.

11 (Slide) As you will recall from the last  
12 briefing, we discussed a large number of complaints  
13 resolved by the Agency. As a result, chart number 12  
14 shows that there are only eight complaints which are  
15 currently active.

16 (Slide) As a result of the last briefing,  
17 we were asked to give a separate breakdown of the EEO  
18 status of the regional offices. To put that  
19 information in perspective, we have on this chart,  
20 chart number 13, segmented the population of the total  
21 Agency. Women currently make up 34 percent of the  
22 Agency population and minorities 19 percent.

23 (Slide) Chart 14 is just for our  
24 Headquarters population and it shows a larger  
25 percentage of women and minorities, 37 percent and 21

1 percent respectively.

2 (Slide) The next five charts, as  
3 requested, show a breakout of the regional offices.  
4 They range from 26 percent to 31 percent for women and  
5 from ten percent to 22 percent for minorities. As  
6 with Headquarters, the regional office located in a  
7 large metropolitan area has the highest percentage of  
8 minorities.

9 I'll now turn to Paul Bird who will  
10 respond to Personnel EEO-related issues.

11 Paul?

12 MR. BIRD: Thank you, Bill.

13 The Commission asked in May of this year  
14 that we present and discuss certain aspects of NRC  
15 attrition and the NRC Executive Potential Program at  
16 the next EEO briefing. I'm now prepared to do that.

17 (Slide) If I could have the first chart,  
18 please.

19 As you can see, this chart is of NRC  
20 attrition compared with government-wide data. Our  
21 full-time attrition has been below government-wide  
22 attrition for five consecutive years. We would expect  
23 that this pattern would continue into the next decade.

24 (Slide) Could I have the next chart,  
25 please?

1 More specifically, the Commission asked  
2 for a comparison of the NRC attrition rate by age  
3 group with that of other technical agencies,  
4 particularly with respect to employees in the age 20  
5 to 29 age bracket. To respond to the Commission's  
6 specific question, we compared our attrition rate with  
7 three other technical agencies, DOE, NASA and NIST.  
8 We found that a substantially higher percentage of NRC  
9 staff in the 20 to 29 age group left NRC as compared  
10 to NASA. NIST, DOE and NRC all had a relatively high  
11 attrition rate in the 20 to 29 age group.

12 NASA and NIST had lower attrition than DOE  
13 and NRC in the 30 to 50 age groups and NRC had a  
14 comparatively lower attrition rate in the 50 to 59 age  
15 group.

16 In the 20 to 29 age group, it's important  
17 to note that only about 35 percent of NRC's total  
18 attrition in both fiscal '89 and fiscal '90 was made  
19 up of professional employees. Approximately 65  
20 percent of that attrition in the age 20 to 29 bracket  
21 was non-professional.

22 COMMISSIONER ROGERS: Excuse me. Could  
23 you say that again? That's an important point.

24 MR. BIRD: Yes, it's an important point, I  
25 agree. About 35 percent of the attrition in the 20 to

1 29 age grouping was made up of professional employees  
2 as opposed to about 65 percent of that attrition being  
3 non-professional employees.

4 (Slide) Could I have the next chart,  
5 please?

6 This chart shows the proportional share of  
7 those leaving NRC by age and ethnicity. As you can  
8 see, the data is relatively balanced when looked at by  
9 ethnicity. There is some effect here, however, due to  
10 small numbers in certain categories. Of some  
11 significance within the age 20 to 29 age group, no  
12 Asian employees left the NRC in fiscal 1990. In the  
13 30 to 39 age group, blacks left at a higher percentage  
14 rate than others and in the age 60 and over group, the  
15 rate was much higher in a percentage characterization  
16 as shown here. However, that represents three out of  
17 seven black employees. So, again, the numbers are  
18 relatively low and you can get big swings in the  
19 percentages if you deal with numbers of that  
20 magnitude.

21 (Slide) Could I have the next chart,  
22 please?

23 Here we can see that attrition for men and  
24 women generally balanced except that in fiscal '90  
25 women in the age 30 to 39 group left at a somewhat

1 higher rate than men and women over age 60 constituted  
2 a significantly lower attrition rate. Again, be  
3 careful because the numbers are relatively small in  
4 these percentages.

5 (Slide) Could I have the next chart,  
6 please?

7 The Commission also asked for data to be  
8 reported in this EEO briefing on the proportion of  
9 women and minorities who have applied for and  
10 completed the Executive Potential Program and the  
11 extent to which graduates of the program have moved to  
12 higher level positions. We looked at this data over a  
13 three year period, from fiscal '88 through fiscal '90  
14 and compared applicants and graduates to the Agency's  
15 grades 13, 14 and 15 populations in order to include  
16 all actual and potential applicants over that time  
17 frame.

18 This chart shows that there is an  
19 approximately one for one percentage correlation  
20 between the number of employees available and the  
21 number of applicants in each ethnic group except for  
22 American Indians. There were no American Indians that  
23 applied for the program.

24 (Slide) Could I have the next chart,  
25 please?

1           So far, only two of the five employee  
2 groups represented, that is blacks and whites, have  
3 graduated from the program. Of the total number of  
4 promotions resulting from participation from fiscal  
5 '88 through '90, all five were white.

6           (Slide)    Could I have the next chart,  
7 please?

8           COMMISSIONER ROGERS:   Just on that, the  
9 numbers selected for the program, was that essentially  
10 the same as the number of graduates?

11          MR. BIRD:   It's essentially the same. As  
12 I understand it, there were some that did not complete  
13 the program and there are some that would complete it  
14 that have not yet finished. So, the selections  
15 included those that were selected but who have not  
16 graduated.

17          In the next chart, we show the same  
18 comparison by gender. The total number of applicants  
19 during fiscal year '88 to '90 was 144, of this 99 were  
20 men and 45 were women. Women applied for this program  
21 at approximately twice their representative rate in  
22 the NRC eligible population, as you can see by the  
23 chart.

24          (Slide)    Could I have the last chart,  
25 please?

1           Of the total population of graduates,  
2 women represented about 53 percent and have received  
3 about 60 percent of the subsequent promotions from  
4 this program.

5           There were several other Commission issues  
6 resulting from the last briefing. Each of these has  
7 been responded to previously.

8           This concludes my portion of the briefing  
9 and I would be happy to respond to any questions you  
10 may have.

11           MR. TAYLOR:       That concludes the  
12 information from the staff, sir.

13           CHAIRMAN CARR:       Any questions,  
14 Commissioner Remick?

15           COMMISSIONER REMICK:   First question, do  
16 we have any idea why the large loss in the 20 to 29  
17 age group? Are there any obvious reasons?

18           MR. BIRD:   Well, I think, again in talking  
19 with some of the other agencies, there is relatively  
20 high turnover in the clerical/secretarial field.  
21 They, in the course of the last few years, have been  
22 able to shop between private sector employers and  
23 government employers and basically there's been a lot  
24 of movement in that particular category. For  
25 professionals in that category, engineers made up

1 about half of the loss rate in there. We have not had  
2 time to really analyze why they left. Again, if  
3 you're looking at those particular numbers, the  
4 percentages are driven by small numbers of people  
5 leaving.

6 We will look at why we tend to be losing  
7 more in that category than others. Again, we haven't  
8 had time to do that at this particular time, but we  
9 will particularly be focused on the professional  
10 groups. We seem to be consistent with the non-  
11 professionals leaving in that age bracket.

12 COMMISSIONER REMICK: Several of you have  
13 referred to, and primarily Melanie, the name "most  
14 qualified" individuals. I must admit I'm not familiar  
15 with that terminology. How is that determined?

16 MR. BIRD: Well, I can respond to that.  
17 In postings and responses to postings for vacancies,  
18 we generally will get a large fraction of the  
19 population applying. We then will rate and rank those  
20 applicants and come up with what we refer to as a best  
21 qualified list. These are basically three groupings  
22 of applicants, A, B and C, if you will, with the A  
23 group representing those best qualified. That would  
24 mean that all the selection factors were responded to  
25 favorably by those applicants.

1 COMMISSIONER REMICK: That is done by OP?

2 MR. BIRD: That's generally done by a  
3 selection panel made up of program officials.

4 COMMISSIONER REMICK: Including from the  
5 area where they'll be --

6 MR. BIRD: Yes, sir.

7 COMMISSIONER REMICK: -- recruiting the  
8 people or employing them?

9 MR. BIRD: Yes, yes. Generally, it would  
10 be, again, made up of equal or higher graded employees  
11 from the program areas having the particular vacancy.

12 COMMISSIONER REMICK: So it's not  
13 necessarily one individual selected, its anybody that  
14 seems to meet those criteria? Then they're considered  
15 best qualified?

16 MR. BIRD: Yes. The best qualified group  
17 would be those that were looked to have the  
18 essential -- meet the essential selection criteria for  
19 that particular job.

20 CHAIRMAN CARR: And the three groups are  
21 not qualified, qualified and best qualified then?

22 MR. BIRD: Well, no. The three groupings  
23 would all -- essentially the A, B and C groupings  
24 would be basically qualified --

25 CHAIRMAN CARR: All qualified?

1 MR. BIRD: -- with some demarkation  
2 between those qualifications made. There would be  
3 another group that would be not qualified for the  
4 positions and we evaluate that and generally they do  
5 not get looked at by the rating panels.

6 COMMISSIONER REMICK: How do you handle  
7 subjective things, or maybe they're not in the  
8 criteria? Leadership ability or communications  
9 ability, are these type of things sometimes in the  
10 criteria?

11 MR. BIRD: Yes, they are. Communications,  
12 for example, may well be one of the selection factors.  
13 It's again, as you said, it's a subjective factor.  
14 It's sometimes hard to measure. This is generally  
15 done through references and things of that nature. In  
16 talking to previous supervisors and others, we try to  
17 make some distinction with regard to communication  
18 skills. So, there is a mix of objective and  
19 subjective factors.

20 COMMISSIONER REMICK: Do you generally  
21 find that selection is from the category called best  
22 qualified or --

23 MR. BIRD: Yes.

24 COMMISSIONER REMICK: It is.

25 That's all.

1 CHAIRMAN CARR: Commissioner Curtiss?

2 COMMISSIONER CURTISS: I don't have any  
3 questions, but let me just make a comment. I thought  
4 the presentations generally reported a number of  
5 positive developments. Sometimes the developments in  
6 this area aren't as perceptible as I think we'd like  
7 to see. I've been here now, I guess, through four or  
8 five of these briefings and I think they're very  
9 helpful for me. I also thought there were a number of  
10 helpful suggestions that were made by the  
11 participants.

12 Jim, I'm pleased to see that the EDO's  
13 office is taking the kind of initiative that it is  
14 with Personnel and working with the groups. I think I  
15 detect that sentiment coming through many of the  
16 presentations.

17 The areas, I guess, where I'm particularly  
18 pleased to see the emphasis, and I guess I'd encourage  
19 all of you to continue it, are on the focus on the  
20 feeder populations, the IDPs and the career  
21 development programs. I guess my sense is that we're  
22 entering a three year period here now, for a reason  
23 I'll explain in a minute, where a lot of the  
24 activities that you've got underway are going to be  
25 critical over this period of time.

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1           The reason, of course, is that now that  
2           the pay raise is passed and with people focusing on  
3           high three and all of that that goes into it, we may  
4           well see at the end of the three year period a  
5           substantial outflux of people who might have left  
6           January 1st if the pay raise had not been enacted.  
7           But there may be a significant amount of turnover in  
8           the older more senior positions within the Agency.

9           I do think that's going to be something  
10          that we need to focus on from a personnel standpoint.  
11          We'll lose, I think, a lot of good people as a result  
12          of that.

13          But, Paul, I guess my impression is that  
14          there will be some turnover as a result of that when  
15          we reach that period and maybe a peak at that point.

16          If that happens, it does seem to me that  
17          the next three year period -- and you may want to  
18          speak to this -- but it seems to me the next three  
19          year period in terms of having an opportunity for  
20          career development and rotations and IDPs and a lot of  
21          the things that I think many of you spoke about will  
22          be especially important in terms of focusing the  
23          attention of the Agency on developing the skills and  
24          expertise in the feeder population, not just for the  
25          benefit of addressing the glass ceiling that some of

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 you talked about and having people move up in the  
2 Agency, but I'll be selfish here in my own interest,  
3 to ensure that as we see those people leave the Agency  
4 that we've got qualified people that have been groomed  
5 to move into those positions.

6 I think that will benefit the Agency as a  
7 whole. But I encourage you all, as you're carrying  
8 out your responsibilities over this period of time, in  
9 addition to all the other work that you do, to focus  
10 on that as perhaps a perspective over the next two or  
11 three years where I think a lot of the efforts that  
12 I've heard about here today have the potential for  
13 providing a forum to address some of your concerns  
14 and, in addition, to provide for a smooth transition  
15 and succession planning within the Agency.

16 MR. TAYLOR: I agree with that. I think  
17 we're faced with that and I think we're more conscious  
18 and appreciate your suggestions, but we're very  
19 conscious of that happening.

20 COMMISSIONER CURTISS: That's all I had,  
21 Ken.

22 CHAIRMAN CARR: Commissioner Rogers?

23 COMMISSIONER ROGERS: Well, I think that  
24 that was a point I was going to make, that I think  
25 that's something we have to be very alert to, that

1 with a higher pay scale, that it may be that at the  
2 end of three years after that's been in place we may  
3 see an accelerated retirement and at age groups that  
4 you might not have expected it before. I don't know.

5 CHAIRMAN CARR: By then we'll have another  
6 pay raise.

7 COMMISSIONER ROGERS: Oh, well, fine.  
8 Don't count on it.

9 But I think that's a big "if" out there  
10 that I think is worthy of some very careful attention  
11 and surveying to see how serious that problem might be  
12 and to try to get ready for it, not being caught  
13 anymore by surprise than we can avoid.

14 MR. BIRD: Our consideration prior to the  
15 pay raise going into effect was that if it did, we  
16 would expect attrition, particularly in the SES, to  
17 approximately double in about three years, that most  
18 of the people that are in the SES might stay for that  
19 period.

20 COMMISSIONER ROGERS: Well, it's important  
21 that people think about what the implications of that  
22 really would be on our individual programs. Not just  
23 in raw numbers, but how will programs be affected by  
24 that or could they be affected by that? I think some  
25 real analysis is called for there by the managers that

1 might be involved.

2 Just a question on some of the numbers and  
3 statistics that I'm always a little worried about the  
4 possible effects of small numbers and fluctuations in  
5 them. On the Committee on Age Discrimination's  
6 report, the performance appraisals data that are  
7 there, some of the groups, particularly the -- well,  
8 that show large fluctuations, page 4, the CAD  
9 statement, the NRC performance appraisals non-  
10 supervisory, I notice that there was a big fluctuation  
11 in the black men appraisal ratings there between 1987  
12 and 1989, up and down.

13 I think it would be useful to look at what  
14 the statistical uncertainties would be, assuming some  
15 kind of a normal distribution on those ratings,  
16 because once you start to get down to numbers like 100  
17 or so in the population group, you expect to have  
18 fluctuations of the order of ten percent.

19 So, at any rate, without trying to be a  
20 statistician on this, I think that the expected  
21 fluctuations in any of these average numbers, what  
22 they might be based just on the statistical  
23 uncertainties should be considered in these numbers.  
24 I think I've raised that question before about some of  
25 these things and I think it is -- it's hard to put

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 those error bars on some of these charts. They'd  
2 become so cluttered that you wouldn't be able to make  
3 the point or some of the points that you want to make.  
4 But I do think that they are important to keep in  
5 mind, particularly when you start to look at  
6 individual groups.

7 So, I assume that these numbers came right  
8 out of the standard database that we all have. I, for  
9 one, would like to see some statistical analysis of  
10 fluctuation expected, how meaningful is a deviation  
11 from any of these averages in any one year.

12 The other comment is, of course, I think  
13 we're all aware of it, is the performance appraisal  
14 creep. It's gone up from '83 to '89. I'm sure to  
15 some extent that's because people are doing a better  
16 job and it's also a generally well known phenomena  
17 that in any organization the ratings tend to go up  
18 with time. So, I think we all are conscious of that.  
19 Partly they go up because people are getting better at  
20 their jobs and partly they just go up because whenever  
21 you have a rating system, people's ratings start to go  
22 up over time and there is a rating creep that we're  
23 all aware of in every organization.

24 But I did want to raise some questions  
25 about the statistical uncertainties in some of these

1 numbers. The other -- in the affirmative action  
2 graphs or tables in that section, there was a table  
3 for black males, females, various grade levels. The  
4 point was made, I think, on the basis of those  
5 numbers, that there's been a decline from '88 to '89.

6 MR. WHARTON: It's '89 to '90.

7 COMMISSIONER ROGERS: Oh, from '89 to '90.

8 MR. WHARTON: Right.

9 COMMISSIONER ROGERS: And they're not on  
10 these tables?

11 MR. WHARTON: Well, for most of them there  
12 was an increase for '88 and there was a decrease -- if  
13 you look where the arrows --

14 COMMISSIONER ROGERS: Yes.

15 MR. WHARTON: The arrows are the increase.

16 COMMISSIONER ROGERS: Yes.

17 MR. WHARTON: From '87 to '88 it went up.  
18 From '88 to '89 -- well, for the '89 performance  
19 appraisal period, it went down --

20 COMMISSIONER ROGERS: Yes.

21 MR. WHARTON: -- for these particular  
22 groups.

23 COMMISSIONER ROGERS: Right.

24 MR. WHARTON: And it went down markedly--

25 COMMISSIONER ROGERS: In '90?

1 MR. WHARTON: -- in larger numbers than it  
2 did for the remainder of the population. Several  
3 group experienced a decrease, but these were the  
4 groups that experienced the largest or the most  
5 significant decrease.

6 COMMISSIONER ROGERS: Well, there are only  
7 three years shown here and one could ask the question  
8 equally well, why did they go up from '87 to '88? In  
9 other words, there's a big increase in these numbers,  
10 for some groups a very large increase from '87 to '88,  
11 and a similar decrease from '88 to '89. In looking at  
12 these numbers, I would raise the question, what  
13 happened in '88 as well as what happened from '88 to  
14 '89, because we're only looking at three years and  
15 there are two questions you can ask. Why did they go  
16 up from '87 to '88? Why did they go down from '88 to  
17 '89? Or what happened in '88 because the '88 numbers  
18 seem to be somewhat out of line.

19 MR. WHARTON: Well, not in comparison to  
20 the rest of the population.

21 COMMISSIONER ROGERS: Well, we're only  
22 looking at three years.

23 MR. WHARTON: Right, and that was --

24 COMMISSIONER ROGERS: And I think there  
25 are some questions to ask here. Rather than just look

1 at what happened from '88 to '89, I think one ought to  
2 look at what seems to be different about '88.

3 MR. TAYLOR: You might see that if you had  
4 more years of accumulated data.

5 COMMISSIONER ROGERS: Yes.

6 CHAIRMAN CARR: I can tell you part of  
7 what happened from '88 to '89 is I gave a strong  
8 lecture to the SES group on accurate marking because  
9 if you mark everybody great, you're penalizing the  
10 good people. That may have had some effect. I would  
11 like to think it did, but I'm not sure it did.

12 COMMISSIONER ROGERS: Well, I think  
13 there's clearly an effect between '88 and '89.

14 CHAIRMAN CARR: There's some effect. I  
15 would agree with you. It looks like '88 was the  
16 aberration, it looks like, for the whole population.

17 COMMISSIONER ROGERS: Out of this group,  
18 yes. So, I think if you just focus on one period from  
19 '88 to '89, it looks like these people went down. But  
20 if you'd look at the three numbers, I'd say they look  
21 like they stayed about the same because '88 looks like  
22 a fluctuation in some way.

23 So, I think that we have to be careful  
24 about the statistics on these, but also we have to  
25 look at underlying things that may be going on such as

1 perhaps a reevaluation of how we're marking people,  
2 everybody. So, that might be in effect here.

3 I think these meetings are very useful and  
4 give us an opportunity to see people that are  
5 concerned with the different areas and to hear from  
6 them. I've found the briefings very useful to me in  
7 giving me some additional insights. But I do think  
8 that on particularly dealing with statistics involving  
9 small numbers that there are fluctuations there. I'd  
10 like to see that reflected in the data in some way,  
11 that we don't ignore what the expected fluctuation  
12 would be assuming just some kind of a reasonable  
13 distribution of evaluations.

14 Thank you.

15 CHAIRMAN CARR: Well, I've got a couple of  
16 questions. One also for you, Ray.

17 I would encourage you to get more of the  
18 minorities to apply for the rotational assignments.  
19 You can see the females applied in greater numbers  
20 than their proportion, by about two to one. And you  
21 don't have the same kind of applications for  
22 minorities and I think that would be -- if you don't  
23 apply, it's pretty hard to get rotated. So, I think  
24 the onus is on the people to apply if they really want  
25 a rotational assignment. It might help that.

1 MR. WHARTON: We had a meeting with Office  
2 of Personnel discussing the entire rotational  
3 assignment policy. Our position was prior to the  
4 meeting that maybe a little more might need to be done  
5 to make the entire population of employees a little  
6 better acquainted with --

7 CHAIRMAN CARR: Publicize the program a  
8 little better.

9 MR. WHARTON: -- how you go about  
10 establishing who is the person responsible. As a  
11 result, I believe they issued a bulletin, a yellow  
12 sheet and also a pamphlet.

13 CHAIRMAN CARR: But I would agree with  
14 you. If the results of a rotational assignment turn  
15 out to be promotions, more people will apply.

16 MR. WHARTON: That's probably true.

17 CHAIRMAN CARR: But certainly one way  
18 to --

19 MR. TAYLOR: That comes in in the  
20 individual development too. That's a negotiation  
21 between the supervisor and the employee.

22 CHAIRMAN CARR: You've got an intriguing  
23 suggestion at the bottom of the page there where you  
24 say, "We request the specific bases for the conclusion  
25 that the morale at the NRC is perceived to be good."

1 As the CO of the ship, you know, you're always in  
2 charge of morale.

3 MR. WHARTON: Right.

4 CHAIRMAN CARR: And if morale is bad, it's  
5 nobody's fault but yours. Morale is a very hard thing  
6 to measure. Generally speaking, you measure it--  
7 people vote with their feet, is what we always say.  
8 So, if they're not leaving in vast hordes, you think,  
9 "Well, morale can't be too bad." You took issue with  
10 that and that's proper to take issue with it because  
11 it's only a feel. But you only get a feel for morale  
12 anyway. It's very hard. Morale on the elevator in  
13 the morning is poor and in the evening it's a lot  
14 better.

15 If you find a good way to measure morale,  
16 let me know, I guess is what I'm saying. It's a  
17 difficult task and it's very important. I ask people  
18 a lot how their morale is. They never tell me it's  
19 down. I don't know why. Most people like -- it's  
20 like asking them how they feel. They usually say fine  
21 even if they've got a splitting headache. So, if you  
22 find a good way to measure that, please let me know  
23 because I think it's important. It's probably the  
24 most important part of the Agency is good morale.

25 When I go visit a plant, you can walk

1 through the plant and you get a sense from morale just  
2 by walking around. If the people look you in the  
3 face, you get a better view of morale than they do if  
4 they kind of look the other way when you walk by.  
5 Those are the kinds of imperceptible things I try to  
6 sense around the building. My impression is that  
7 certainly morale is not unsatisfactory. Whether it's  
8 good or not is in the eye of the beholder and probably  
9 in the eye of the individual. It's a personal thing  
10 whether morale is okay or not.

11 MR. WHARTON: Well, our statement there  
12 was reflecting on the results of the employee  
13 suggestion survey. I've spoken with Paul a number of  
14 times regarding the survey instrument and how it was  
15 implemented and what the actual results mean. We took  
16 issue with that statement. I guess my assumption is  
17 that the basis that morale is good was that attrition  
18 is considered low. The results of the survey didn't  
19 actually say that. I don't know that saying attrition  
20 is low means that morale is necessarily good.  
21 Everybody that's not satisfied doesn't quit.

22 CHAIRMAN CARR: I'll start asking my  
23 question as, "Could your morale be better?" How's  
24 that?

25 MR. WHARTON: That's probably a good

1 question.

2 CHAIRMAN CARR: I've got one other  
3 question. Talking about the EEO counselors that  
4 talked to 40 to 50, and I guess it has to do with the  
5 same chart where you show six complaints were filed  
6 and 55 or 60 or something that didn't ever come to a  
7 complaint issue. Are most of those complaints raised  
8 as a result of no promotion in one case or I guess the  
9 other one would be poor marks? Is that what -- I am  
10 looking for the root cause. What generates the  
11 complaint? Is it sexual harassment, is it -- you know  
12 you've got some down there that says sex, race,  
13 whatever. But what is the primary driver? Do they  
14 feel picked on because they applied for promotion and  
15 they didn't get it, their marks were lower than  
16 somebody else? Which things drive those?

17 MR. SCHWINK: There were a spectrum of  
18 comments that the counselors raised as the perceived  
19 basis. The number of contacts represent not only  
20 formal EEO counseling sessions, but a phone call  
21 contact --

22 CHAIRMAN CARR: Sure.

23 MR. SCHWINK: -- with someone saying they  
24 were treated unfairly in a spectrum of things. One  
25 would be the selection, "I didn't get the job"

1 perspective.

2 CHAIRMAN CARR: Yes.

3 MR. SCHWINK: The other one was, "I didn't  
4 make the A candidate list."

5 CHAIRMAN CARR: But still to do with a  
6 promotional opportunity.

7 MR. SCHWINK: And then along the lines of,  
8 "I didn't get the window seats that I should have had.  
9 I didn't get the window office I should have had. I  
10 didn't get the leave I should have had. Mine wasn't  
11 granted because of Joe being favored above me for some  
12 reason." There were a spectrum of reasons but they  
13 principally dealt with how they were being treated  
14 both inside and outside of the selection process.

15 CHAIRMAN CARR: So one of the basic  
16 problems is communications?

17 MR. SCHWINK: Yes.

18 CHAIRMAN CARR: It's always been a  
19 practice of mine if you give somebody less than a  
20 perfect mark, you have to be able to substantiate what  
21 it is he's got to do to solve that difference. In  
22 other words, if you don't have something wrong with  
23 him, the guy's doing his work, then you can't do less  
24 than mark him perfect.

25 MR. SCHWINK: Or don't rate him as an A

1 candidate. Don't rate his appraisal as an outstanding  
2 appraisal and then not select him for jobs when he's  
3 clearly, according to his appraisal, the outstanding  
4 candidate.

5 CHAIRMAN CARR: People can't be expected  
6 to do better if they don't know where their  
7 shortcomings are.

8 MR. SCHWINK: Correct.

9 CHAIRMAN CARR: So, I guess it does boil  
10 down to communications between the supervisor and the  
11 employee as to what -- do they find out which section  
12 they're in, A, B, or C, Paul, after these selections  
13 are made, or is that a rumor mill?

14 MR. BIRD: Well, they would not know the  
15 A, B and C outcome necessarily unless they were asked.  
16 They would know that they were not selected for the  
17 job by notification and if they enquired they would  
18 know where they were rated in that regard.

19 CHAIRMAN CARR: Who would tell them that?

20 MR. BIRD: We would. My office would.

21 CHAIRMAN CARR: Okay. But that might not  
22 be their supervisor or their board or whoever?

23 MR. BIRD: That's correct. Generally, the  
24 selecting official will know the candidate groups that  
25 he's selecting from. So, that information is

1 certainly available through the supervisors and I  
2 would expect in many cases it can be obtained there  
3 fairly readily. But if everything else didn't succeed  
4 in that communication, we would have that information.

5 CHAIRMAN CARR: Anybody else want to  
6 comment on this issue while I'm exploring it?

7 MR. KERR: Yes, I would. I'd like to  
8 comment on that.

9 I would say about half of our counselor  
10 contacts are concerning lack of promotions or lack of  
11 selection, but the other half are something to do with  
12 preferential treatment. So, you're right on target  
13 that it's a mixed bag really. Part of it is based  
14 upon, "I was not selected for a particular job or  
15 promotion," and the other half is, "Somebody got  
16 something that I'm not getting."

17 CHAIRMAN CARR: Yes. So it boils down to  
18 if you don't get your leave and you're whizzed off, at  
19 least your boss ought to explain to you why so that  
20 you understand why he didn't give it to you or  
21 whatever.

22 MR. KERR: Certainly.

23 MR. SCHWINK: Another perspective is that  
24 employees aren't really clear of whether something is  
25 an EEO matter or whether it's another matter. The

1 counselors felt if there was better communication  
2 between the counselor, the manager and the employee,  
3 that some of this could be relieved at a very, very  
4 early informal stage before it festered into something  
5 more significant.

6 CHAIRMAN CARR: I see. Well, obviously,  
7 we can't get everybody a window. There are some  
8 things that are impossible. Also, there are only X  
9 number of positions in the Agency, so you can't  
10 promote everybody to the chairmanship, even though I'd  
11 be happy to let them have it for awhile, especially on  
12 certain days. Anybody that wants to go to Plymouth is  
13 welcome.

14 And also in your EEO-related -- on page 2  
15 of your statement, I couldn't agree more with, "The  
16 EEO-related generic concerns need to be prioritized  
17 for resolution relative to their net value in terms of  
18 feasibility, practicality, benefits, cost schedules,  
19 available resources and what other important matters  
20 will not be addressed." That's hard for me to do  
21 though. We like to think that that's how we do what  
22 we do now, but it may not come clear. So, I think  
23 we're back to the situation where we're not doing a  
24 very good job of communications.

25 That's one of the things, certainly, that

1 all of us can improve on no matter where we fit in the  
2 Agency, is communications both down and up and  
3 sideways. It's very important.

4 MR. COLEMAN: Mr. Chairman?

5 CHAIRMAN CARR: Yes.

6 MR. COLEMAN: Walt mentioned earlier and  
7 it has been noted by EEO counselors that the  
8 underlying reason for a large number of the informal  
9 complaints has been perceived age discrimination. Our  
10 committee is certainly aware of the problems when you  
11 try to statistically analyze groups with small numbers  
12 of people. I'd point out once again that two groups  
13 of relatively large numbers of people, all non-  
14 supervisory men over age 50 and all non-supervisory  
15 non-whites, that these two group for seven years have  
16 consistently on average been appraised lower than the  
17 Agency average for non-supervisory people as well as  
18 for the average for the whites.

19 CHAIRMAN CARR: Let me explore the non-  
20 supervisory -- go over with me what kind of positions  
21 non-supervisory positions are.

22 MR. COLEMAN: This is all staff, anyone  
23 who is not a supervisor or SES.

24 CHAIRMAN CARR: Well, but isn't the normal  
25 progression in the Agency through a supervisory level?

1 MR. COLEMAN: This is how we're handling  
2 it.

3 CHAIRMAN CARR: I guess I've talked to the  
4 EDO, Jim Taylor, about this. This is the first  
5 organization I've been associated with where there is  
6 not a lot of career planning, if you understand the  
7 term. There's no way that when you come in you can  
8 say, "Here's where I am where I start and there's  
9 where I want to go and these are the steps that I've  
10 got to go through to get there." I have zero feel for  
11 what the normal promotion rate is, we'll say, from a  
12 GG-3 to a GG-15. How many years does that take if  
13 you're the hottest runner in the Agency versus how  
14 many years does it take if you're the slowest runner  
15 in the Agency, but you still run?

16 You should be able to -- many of these  
17 things I worry about, should you make this promotion  
18 every three years, every ten years, every five years?  
19 Is the perception really, "He got it before I got it"?  
20 That starts a lot of the complaints. "We started in  
21 the Agency at the same time. He's here and I'm here."

22 So, we've talked about some career  
23 planning guide, outline, which hopefully we can get  
24 put out that will take disciplines and say, "Here's  
25 the path that you should proceed through if you expect

1 to get promoted."

2 There are certainly, as you say, some jobs  
3 people aren't qualified. The reason they aren't  
4 qualified is they haven't been where they should have  
5 been if they wanted to get that job. I'm not sure  
6 we've helped them enough to do that. So, we're  
7 working toward that end and hopefully we'll be able to  
8 do something along that line.

9 I think it is important for people who  
10 don't get promoted to know why they didn't get  
11 promoted, to realize what's missing in their resume or  
12 their career path that would have enabled them to get  
13 it or would have made them more competitive. We  
14 certainly ought to be able to provide that kind of  
15 information, in my opinion.

16 COMMISSIONER ROGERS: Could I just add a  
17 thought on that though? I wonder, that model that  
18 you've described really started out with the  
19 assumption that promotion involves additional  
20 supervisory responsibilities really. Is it possible  
21 in this Agency for someone to get a high rating every  
22 year for the work they do, but not to be eligible for  
23 a promotion to an additional supervisory position.

24 MR. BIRD: They would be eligible, but  
25 they may not be promoted. Yes, certainly there would

1 be that latitude to get an outstanding performance  
2 appraisal for doing a sound job at essentially what we  
3 call a full performance level. That is a -- for a  
4 professional employee, there is a career progression  
5 that occurs up to a certain grade level.

6 CHAIRMAN CARR: Let me ask that question  
7 different. Do we have some GS-15s who aren't  
8 supervisory?

9 MR. BIRD: Yes.

10 MR. TAYLOR: Some don't want to be.

11 COMMISSIONER ROGERS: Suppose that they  
12 don't ever want to be supervisory, but they want to  
13 continue doing what they're doing. Can they maintain  
14 a high performance rating?

15 MR. BIRD: Yes.

16 MR. TAYLOR: Yes. We have many.

17 COMMISSIONER ROGERS: Because, you know,  
18 there is a tendency to feel that if you aren't  
19 promoted you're not doing the job to get promoted and  
20 therefore you're not doing a good job. And I wonder  
21 whether there's the possibility that some of the older  
22 people in the Agency who may not have an interest in  
23 being promoted to additional supervisory positions  
24 might possibly be, if they'd been in that same rank  
25 for a long time, regarded as not moving and therefore

1 not being qualified for a high rating in the work they  
2 do. I think it's an issue that one has to deal with.

3 CHAIRMAN CARR: Let me make sure I  
4 understand this. Somebody can come in, we'll say, at  
5 a GS-7 and be promoted in place all the way up to a  
6 GS-15 and still do the same work he's been doing?

7 MR. TAYLOR: No.

8 MR. BIRD: No. They come in as a -- a  
9 professional employee might come in as a grade 7, for  
10 example, and advance, potentially could advance every  
11 year -- there is a time in grade requirement -- but  
12 potentially could advance every year up to the grade  
13 13. Generally, at that level there would be a  
14 competitive action wherein --

15 CHAIRMAN CARR: Without supervising  
16 anybody?

17 MR. BIRD: Correct.

18 CHAIRMAN CARR: And he competes for a job  
19 that's non-supervisory?

20 MR. BIRD: That's correct.

21 CHAIRMAN CARR: Learn something every day.

22 COMMISSIONER ROGERS: Well, I'm glad to  
23 hear that, because I think that's one of the issues  
24 that we have to deal with in a highly technical  
25 organization with people who really want to do a

1 technical job but don't want to do a managerial job.

2 MR. TAYLOR: We have those.

3 CHAIRMAN CARR: How do you train the young  
4 guys.

5 MR. TAYLOR: Well, you mention the career  
6 path. Normally there are a couple of paths, and  
7 that's what you'll see when we do what you suggested  
8 across some of the offices. We're trying a couple of  
9 them out now, you know. Starting at the low level,  
10 how do you work your way up? You do make a choice.  
11 Some people prefer not to take on supervisory  
12 responsibilities.

13 CHAIRMAN CARR: But I've got this GS-15  
14 who's been in the Agency for 30 years and knows more  
15 about the subject than anybody else and I can't give  
16 this young fellow to him to train because he's non-  
17 supervisory?

18 MR. BIRD: Well, certainly the senior  
19 technical expert could provide guidance to the  
20 individual although he may not supervise that  
21 individual. There's no bar against that. They work  
22 on teams together. They are assembled for many  
23 different reasons other than supervision.

24 CHAIRMAN CARR: It's a lot easier to get  
25 his attention if you write his fitness report.

1 MR. BIRD: That's correct.

2 CHAIRMAN CARR: He listens better.

3 Okay. I understand that.

4 COMMISSIONER ROGERS: Well, I think  
5 there's an issue that we need to understand.

6 CHAIRMAN CARR: We need to think about  
7 anyway.

8 COMMISSIONER ROGERS: Think about it, yes.  
9 I don't think we'll resolve anything here, but I --

10 MR. COLEMAN: Mr. Chairman, you've touched  
11 on all the reasons why, in our analyses, we  
12 differentiate between supervisory and non-supervisory.  
13 The supervisor is key to an individual's future in the  
14 Agency and if a supervisor likes the work of his  
15 employees, then they, through the appraisals that they  
16 will get and training opportunities that go with those  
17 high appraisals, their future can progress. And if  
18 the supervisor does not, for some reason, feel the  
19 work is up to that same level, you just see the  
20 connection. That's why we differentiate.

21 The supervisory level is the key. We've  
22 done our analyses for all the staff below the  
23 supervisory level. We feel that it's a separate  
24 population group, all SES people and supervisors.

25 CHAIRMAN CARR: Well, that's how you pick

1 supervisors, but -- well, we need to --

2 COMMISSIONER ROGERS: Well, I'd like to  
3 raise a question about the training. For example, if  
4 you're taking this individual that may not exist but  
5 let's say does exist who's doing an absolutely superb  
6 job in a technical sense, is really not going to go  
7 any further because they're not interested in a  
8 supervisory job, what kind of training programs are  
9 available to them to maintain their expertise? Are  
10 our training programs really trained towards taking on  
11 more managerial responsibilities?

12 MR. BIRD: No. There is certainly, in my  
13 view -- and I haven't measured this specifically, but  
14 there are at least as many training opportunities to  
15 develop in a technical capacity here as there are  
16 opportunities to develop in managerial and supervisory  
17 responsibilities. I don't know if they're on an equal  
18 par, again, but I can certainly say that through the  
19 Technical Training Center and through outside course  
20 work and --

21 COMMISSIONER ROGERS: I wonder if you  
22 could give me some information on that.

23 MR. BIRD: Sure.

24 COMMISSIONER ROGERS: I'm very interested  
25 in it, because I think it's a very important point for

1 our future. I'd like to know what those training  
2 opportunities are for people who are at the top of  
3 their positions technically.

4 CHAIRMAN CARR: Let me ask you, what is  
5 the grade of the senior non-supervisory guy in the  
6 Agency? What is he? What level would they get to?

7 MR. BIRD: Generally they would be at a 15  
8 level, but there are those who are in strictly  
9 technical non-supervisory jobs in what we call the old  
10 super-grade band, 16, 17, and 18. They are there,  
11 because they are rather expert in their particular  
12 technical field.

13 CHAIRMAN CARR: But I would wager you're  
14 not getting age discrimination complaints from that  
15 group of people. Am I wrong?

16 MR. BIRD: There's some pay parallel there  
17 that can be drawn.

18 MR. COLEMAN: I don't know, sir. The  
19 database we use is sanitized, contains no names or  
20 social security numbers.

21 CHAIRMAN CARR: Okay. Any other questions  
22 or comments?

23 COMMISSIONER CURTISS: I just had a  
24 comment. I know when I came to the Agency in 1979--  
25 it's been an interesting discussion because I compared

1 what the situation was when I went to work for the old  
2 ELD. You used to start out at a GS-11. In a year,  
3 you'd move to a 12; a year, you'd move to a 13; year  
4 and a half, 14; and two years, 15. And there are  
5 certain positive aspects of that in terms of --

6 CHAIRMAN CARR: Well, lawyers are on fast  
7 tracks.

8 COMMISSIONER CURTISS: Yes, well, I don't  
9 know about that. I should say they slowed the track  
10 down, and maybe it's this competition for 14s and 15s  
11 that has as its antecedent that problem. You  
12 certainly had a good deal of predictability when you  
13 went through. You knew if you stayed there two, three  
14 and a half, five and a half years, you'd be at a GS-  
15 15. The lawyers tended to be -- and maybe the other  
16 disciplines as well -- there tended to be a lot of  
17 top-heaviness within the and maybe as a function of  
18 that kind of very visible and very concrete  
19 advancement.

20 I certainly commend the work that Jim and  
21 you and the Chairman are doing in terms of career  
22 development and career planning, and I tried to allude  
23 to that when we were talking about IDPs and rotations  
24 and this very critical period because I do think it's  
25 important for people to know how to get from where

1 they are now to where they want to be in terms of  
2 that. But, it was an interesting discussion.

3 One other point I guess I'd also  
4 emphasize. When I first came to the Agency and worked  
5 here for a couple years in the late '70s and early  
6 '80s, the kinds of programs that existed at the time  
7 in terms of career development, rotation and so forth,  
8 have taken, I think, a quantum leap in the last ten or  
9 11 years. It's difficult to see, I think, in the six  
10 month periods that we have these briefings, but if one  
11 looks back over time there has been significant  
12 development over the last, say, dozen or so years that  
13 I personally have seen. It's not quite at perceptible  
14 every six months, but a lot of progress has been made.

15 MR. TAYLOR: Well, you're going to see--  
16 one of your upcoming briefings is by the Technical  
17 Training Center. You're going to see how that place  
18 has changed. If you go back five or more years, that  
19 place is dramatically different and you'll see it at  
20 this next briefing.

21 COMMISSIONER CURTISS: Good.

22 MR. TAYLOR: We're also concerned about  
23 training in some of the -- as you know, some of our  
24 efforts of looking at specific post-graduate training  
25 in the technical specialties is very important to us

1 and that's part of this fellowship approach. So,  
2 we're very conscious of stoking the technical and  
3 other training aspects that are necessary to support  
4 the Agency in the future, particularly with all the  
5 people who are in the training pipeline. That's a  
6 very important part of what we're trying to do. Some  
7 of them may, therefore, get to be an Agency specialist  
8 at the 15 level in a particular discipline, and of  
9 course they are the ones that work in seismology and  
10 so forth, geology.

11 It's very important in the Agency that we  
12 have those targets. There are a lot of those  
13 positions that -- and there aren't that many people in  
14 the field, so you really have to train to keep that  
15 expertise in the Agency. That's part of what we're  
16 looking at. We have quite a few people working on  
17 that whole training subject right now, so you'll see  
18 more on that.

19 COMMISSIONER CURTISS: Good.

20 CHAIRMAN CARR: Well, it's very tough in  
21 an agency like this where you don't have an up or out  
22 policy. You'll have stagnation. You can't help that.

23 Can you dig out of your database the  
24 average age of the employees?

25 MR. BIRD: Yes. It's gone down.

1 CHAIRMAN CARR: Can you dig it out for ten  
2 years?

3 MR. BIRD: Well, I can give you it for  
4 five years. In fiscal '86, the average age was 42.7.  
5 In fiscal '87, it was 43. In fiscal '88, it was 43.6.  
6 In fiscal '89, it was 43.9. And in fiscal '90, it's  
7 gone down to 42.2. So, it has come down from last  
8 year to this.

9 MR. TAYLOR: That reflects some of the  
10 ability to hire also.

11 MR. BIRD: That's correct.

12 MR. TAYLOR: A lot of that is --

13 CHAIRMAN CARR: Adding people in.

14 MR. TAYLOR: That's correct. We were  
15 allowed to hire and you're seeing some of that in that  
16 data.

17 MR. BIRD: In '87, '88, and '89, as you  
18 will recall, the Agency was in a diminishing --

19 CHAIRMAN CARR: Sure. And considering the  
20 fact that the industry is 30 plus years old, why,  
21 that's pretty old.

22 Okay. Any other comments?

23 Well, I want to thank each of you for your  
24 excellent presentations. I know that many hours of  
25 hard work went into the preparation of the briefing

1 package. The Commission appreciates that work and  
2 values the contribution that each of you have made  
3 toward the continuing effort to achieve our EEO goals  
4 and objectives.

5 I was particularly pleased to note in many  
6 of the committee presentations a new emphasis on  
7 contacts with employees, supervisors, EEO counselors  
8 and others to identify employee concerns and problems.  
9 I believe that is a positive and creative step that  
10 will not only aid you in performing your functions as  
11 members of the employee advisory committees, but also  
12 greatly assist the Commission and NRC senior  
13 management in assessing progress in meeting our EEO  
14 goals. I encourage you to reflect these employee  
15 views in your future presentations.

16 I also fully support the views expressed  
17 by the EDO in his November 14th presentation on career  
18 development and urge all employees who have not had  
19 the opportunity to do so to read his remarks in full.

20 With respect to further actions, I would  
21 ask the staff to devote priority attention to  
22 identifying specific causes and recommending solutions  
23 to the problem of attrition among our employees and to  
24 seriously evaluate the suggestions made by the  
25 employee committees with respect to training and

NEAL R. GROSS  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 additional contacts between managers, counselors and  
2 employees to discuss EEO concerns.

3 Finally, I would urge the staff to devote  
4 greater attention to planning for and recognizing the  
5 experience gained by employees involved in  
6 developmental programs and rotational assignments to  
7 insure that the employee and the Agency obtain the  
8 maximum benefits from these programs.

9 Any other comments?

10 If not, we stand adjourned.

11 (Whereupon, at 11:40 a.m., the above-  
12 entitled matter was adjourned.)

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF TRANSCRIBER

This is to certify that the attached events of a meeting of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: BRIEFING ON EEO PROGRAM

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: DECEMBER 17, 1990

were transcribed by me. I further certify that said transcription is accurate and complete, to the best of my ability, and that the transcript is a true and accurate record of the foregoing events.



Reporter's name: Peter Lynch

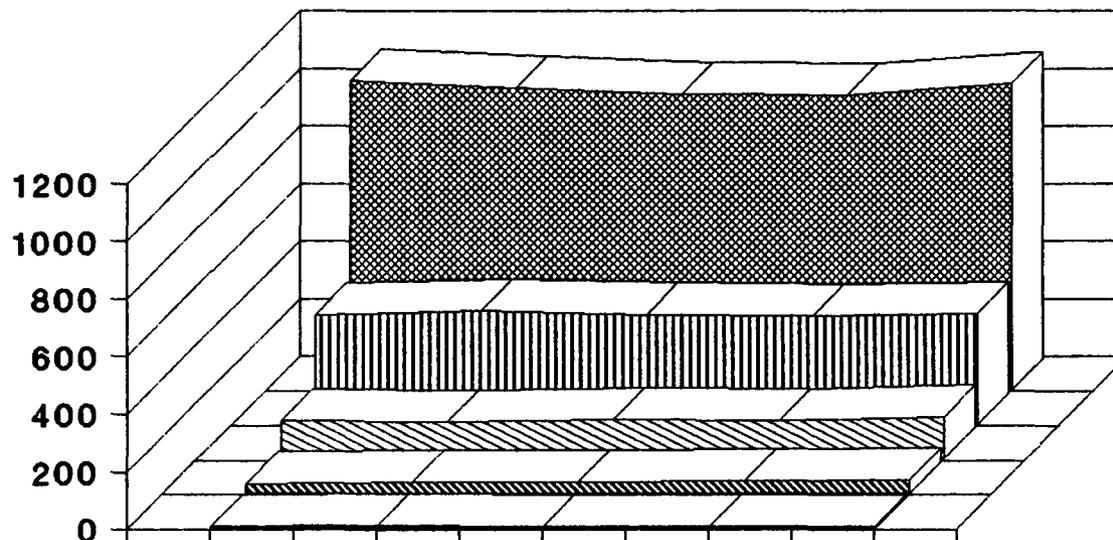
**NEAL R. GROSS**  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005

**U.S. NUCLEAR REGULATORY COMMISSION**

**Commission Briefing on NRC's  
Equal Employment Opportunity Program**

**December 17, 1990**

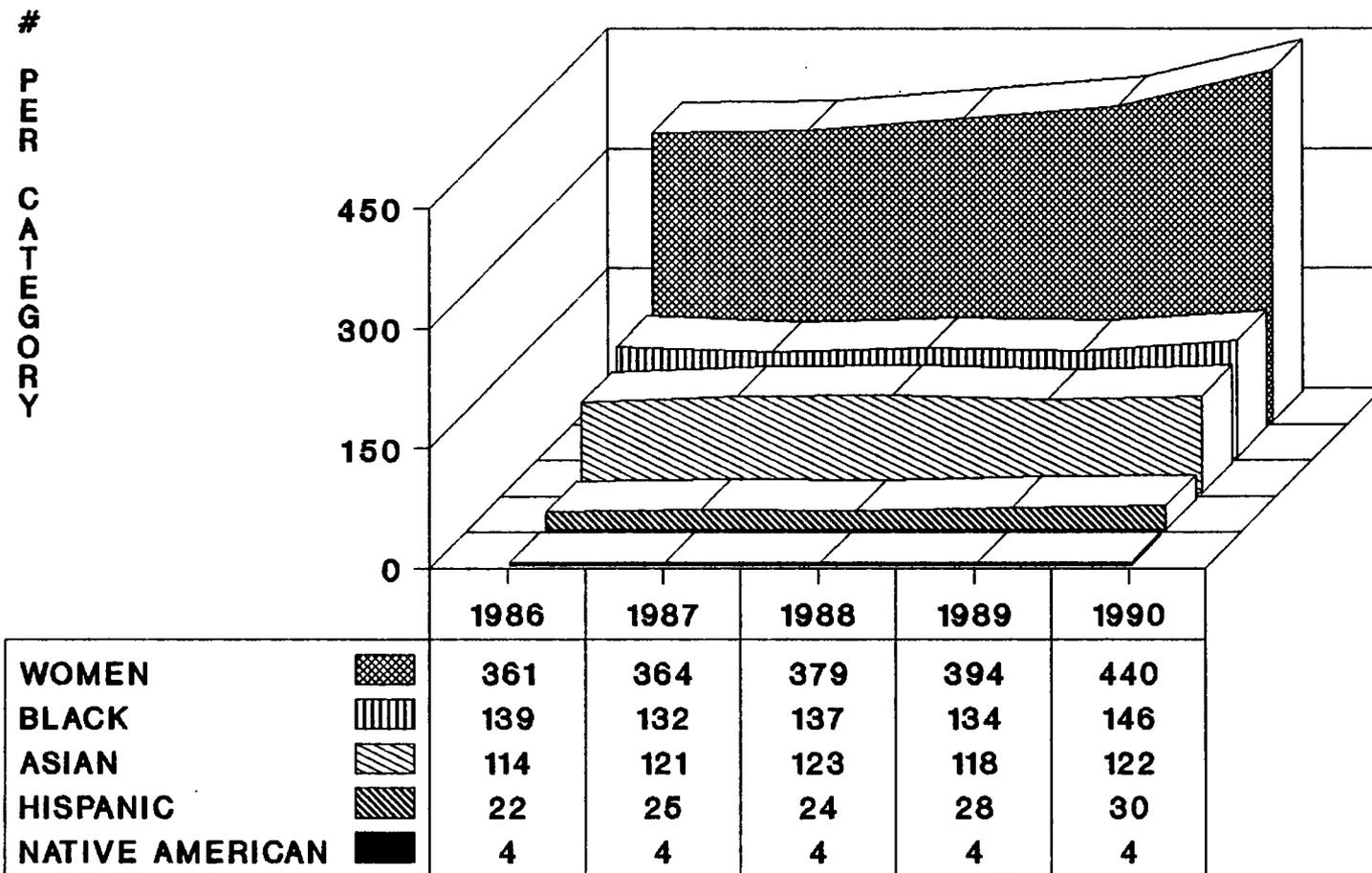
# NUMBER OF MINORITIES AND WOMEN PERMANENT FULL TIME STAFF FY-1986 THRU FY-1990



	1986	1987	1988	1989	1990
<b>WOMEN</b>	1073	1048	1026	1022	1063
<b>BLACK</b>	382	393	382	376	383
<b>ASIAN</b>	132	131	136	134	146
<b>HISPANIC</b>	35	41	42	45	49
<b>NATIVE AMERICAN</b>	8	9	7	6	5

DATA AS OF SEPTEMBER 30, 1990

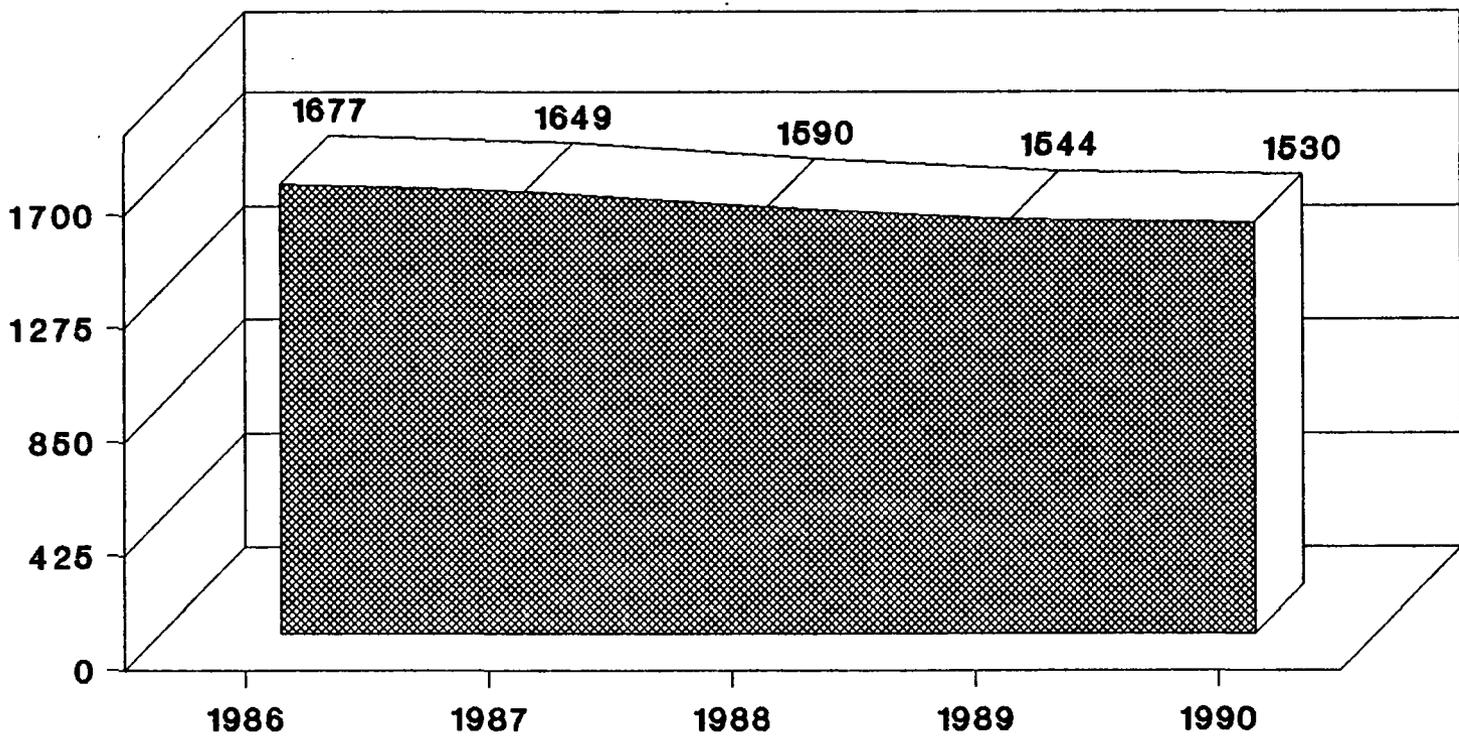
# NUMBER OF MINORITIES AND WOMEN PERMANENT FULL TIME GG-11 AND ABOVE\* FY-1986 THRU FY-1990



\* DOES NOT INCLUDE SES  
DATA AS OF SEPTEMBER 30, 1990

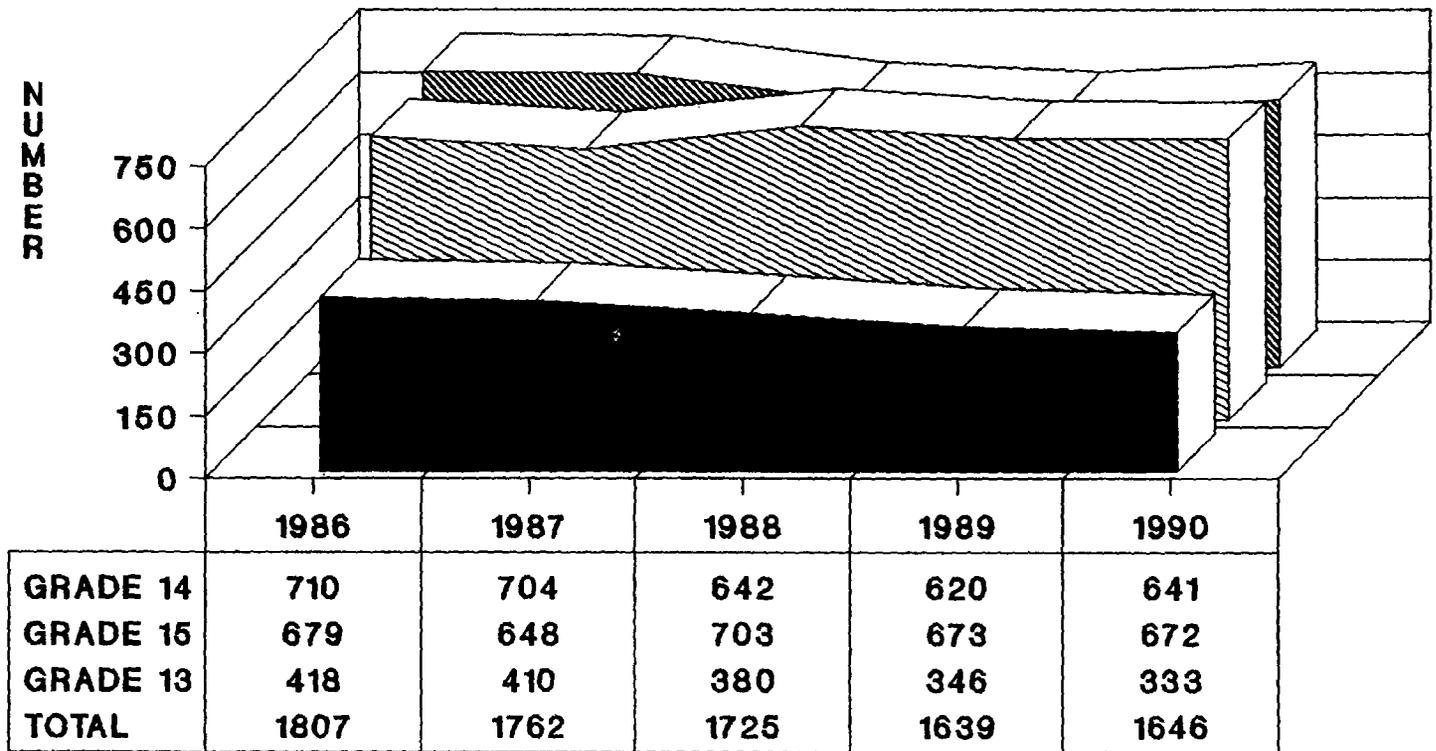
# NUMBER OF NON-MINORITY MALES PERMANENT FULL TIME GG-11 AND ABOVE\* FY-1986 THRU FY-1990

NON-MINORITY MALE



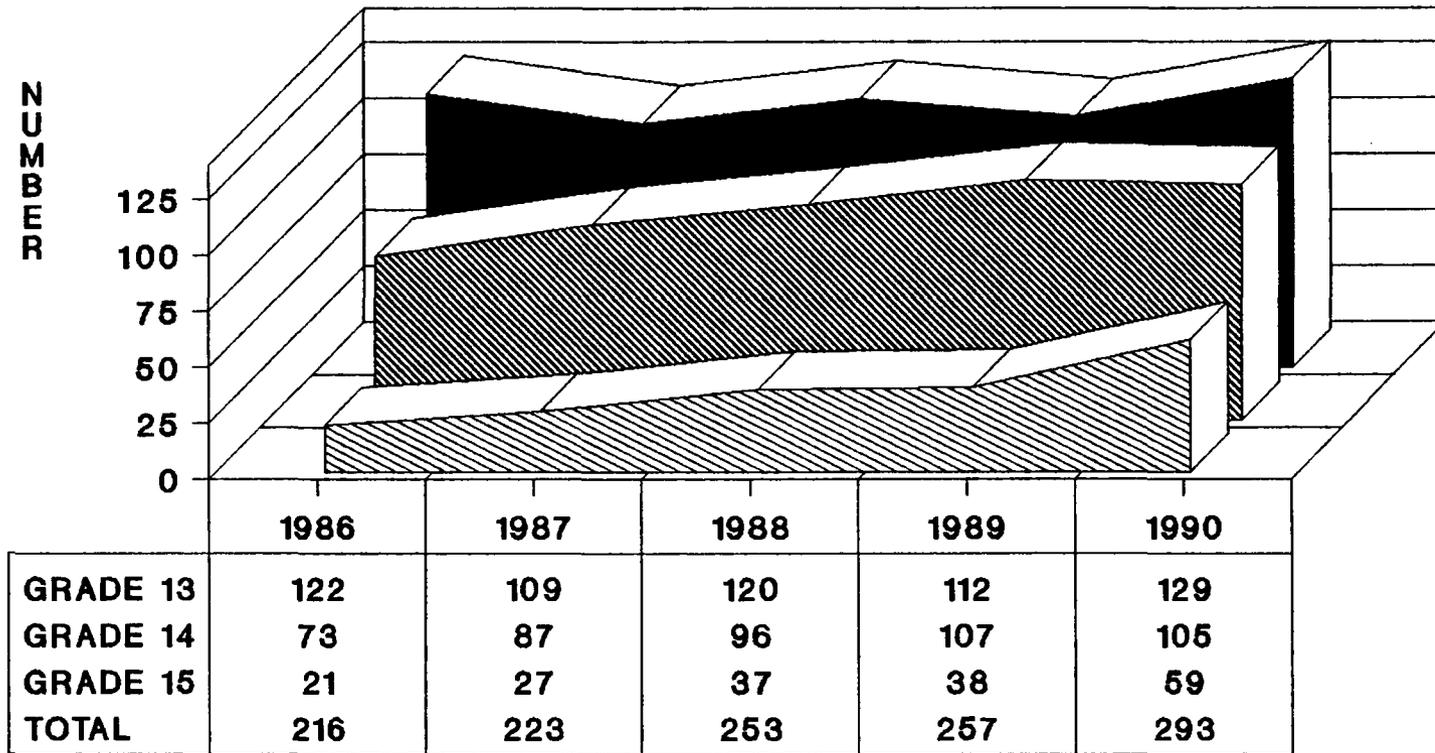
\* DOES NOT INCLUDE SES  
DATA AS OF SEPTEMBER 30, 1990

## DISTRIBUTION OF MEN IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



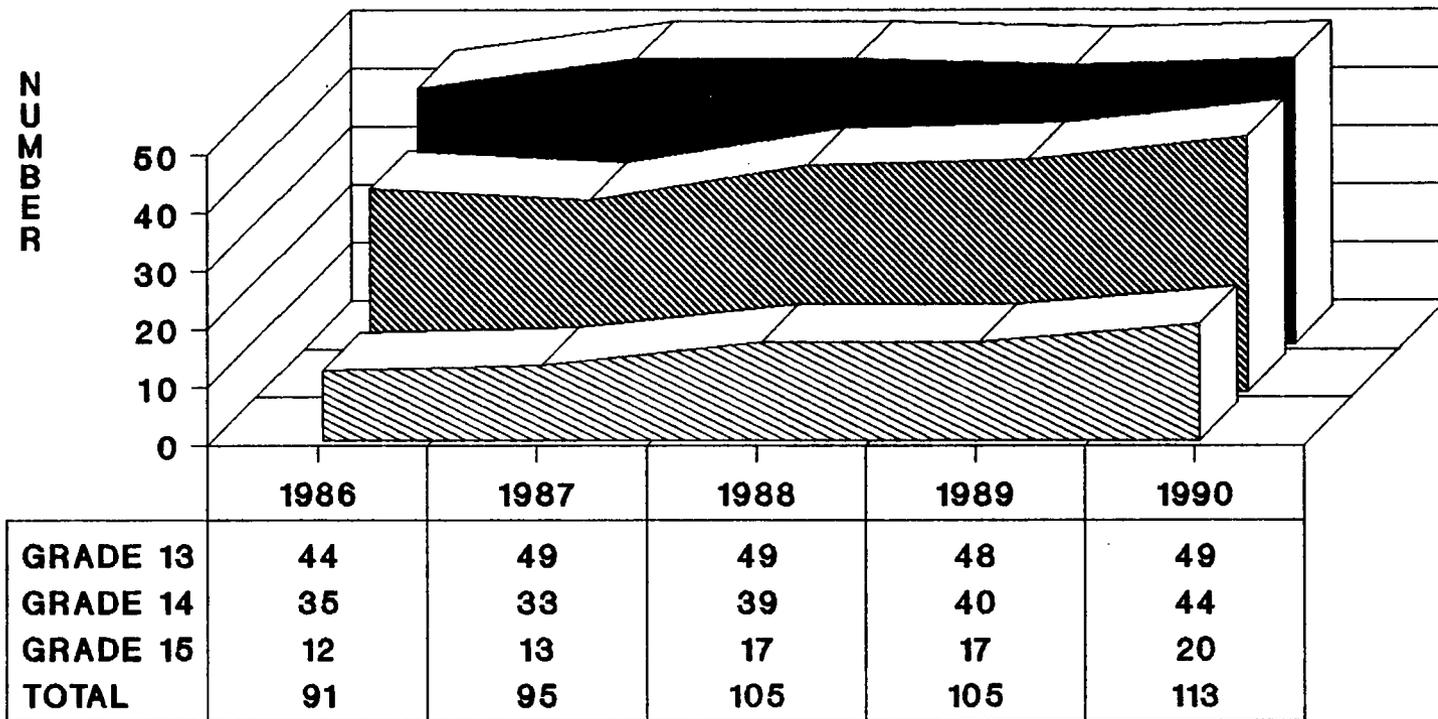
DATA AS OF SEPTEMBER 30, 1990

# DISTRIBUTION OF WOMEN IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



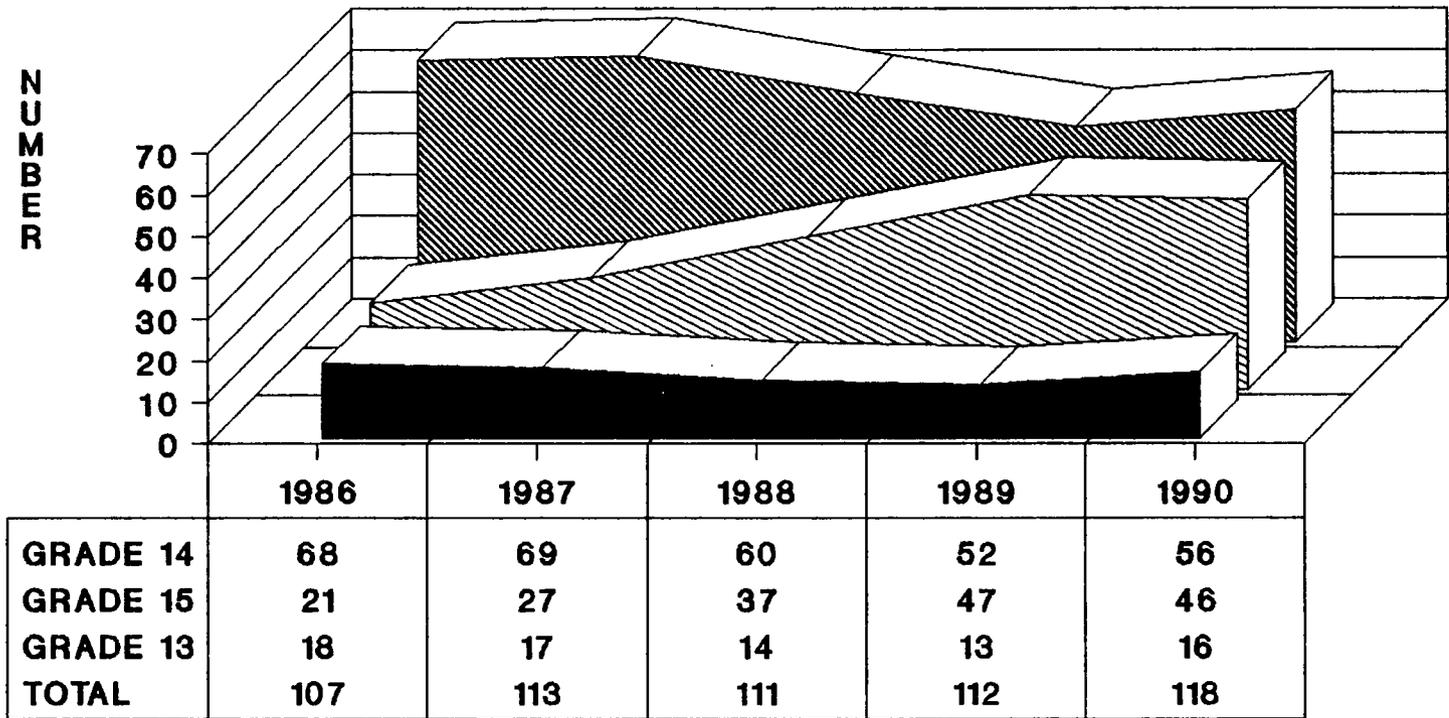
DATA AS OF SEPTEMBER 30, 1990

# DISTRIBUTION OF BLACKS IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



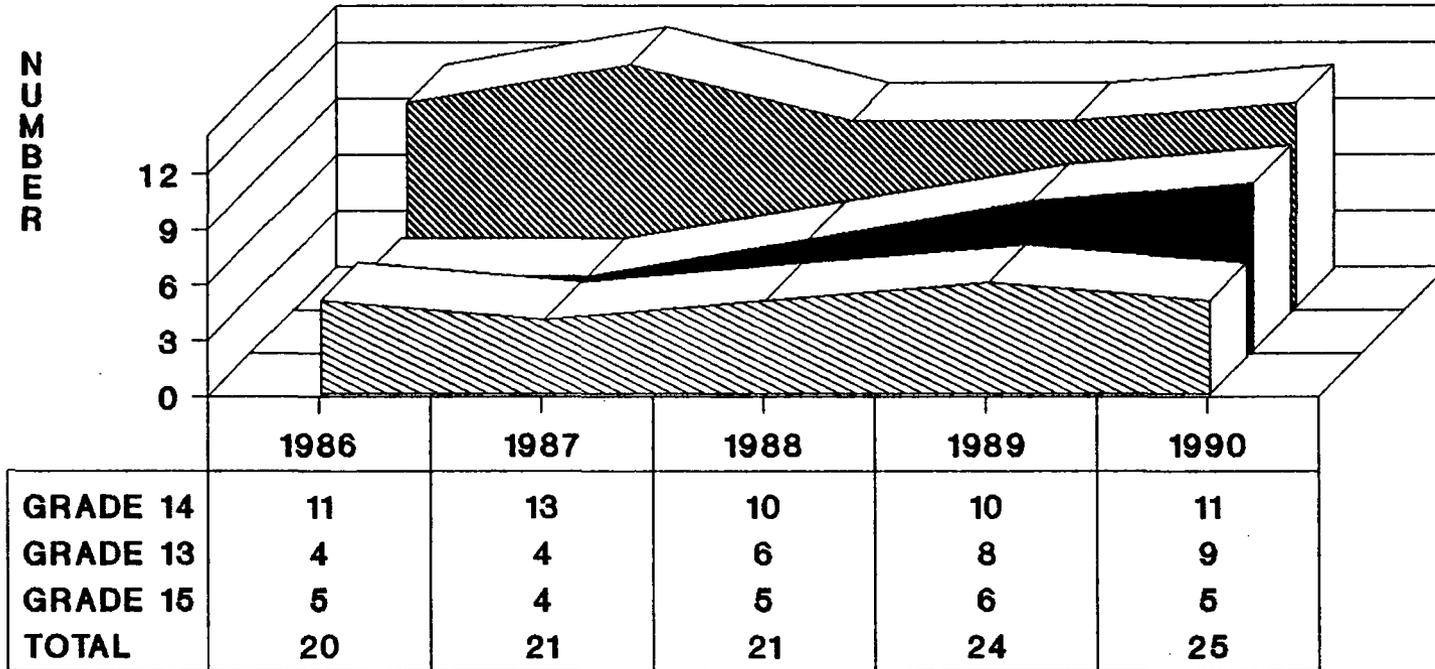
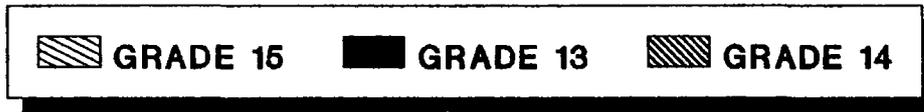
DATA AS OF SEPTEMBER 30, 1990

# DISTRIBUTION OF ASIANS IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



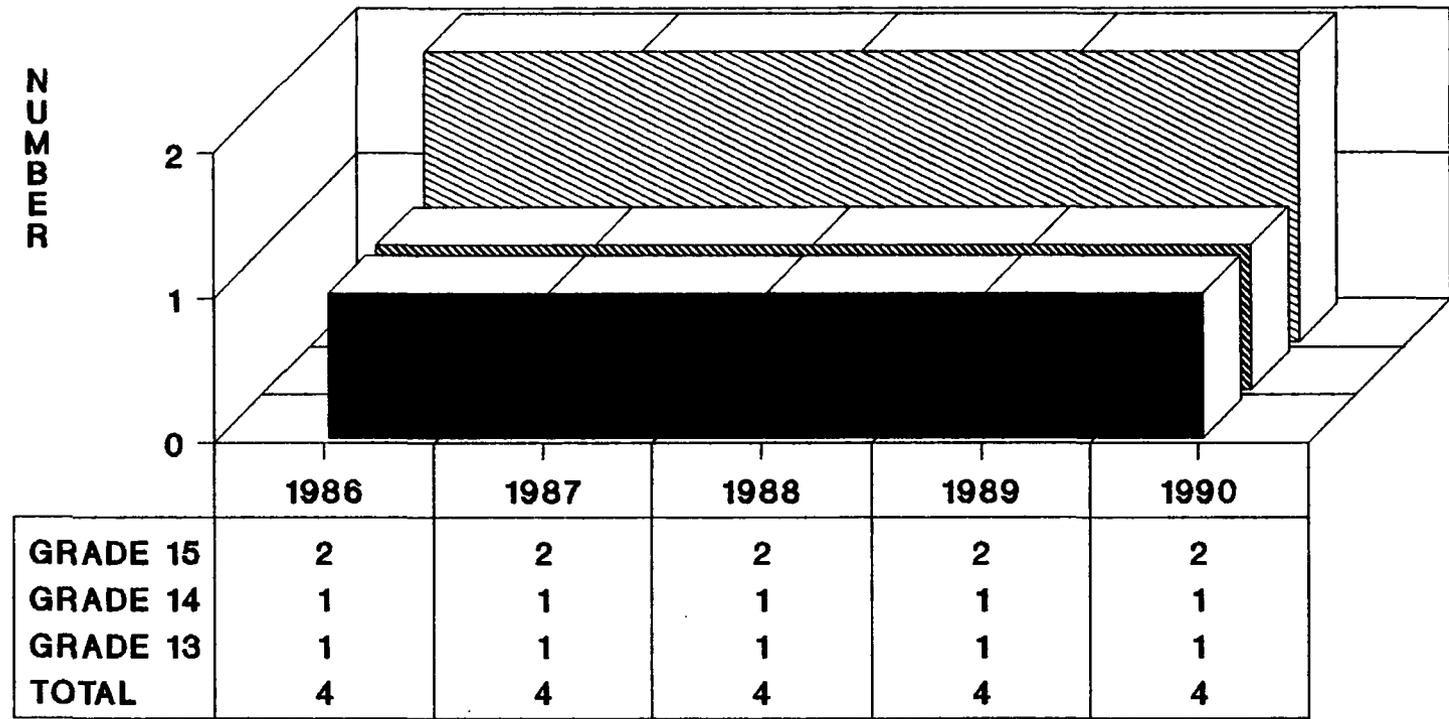
**DATA AS OF SEPTEMBER 30, 1990**

# DISTRIBUTION OF HISPANICS IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



DATA AS OF SEPTEMBER 30, 1990

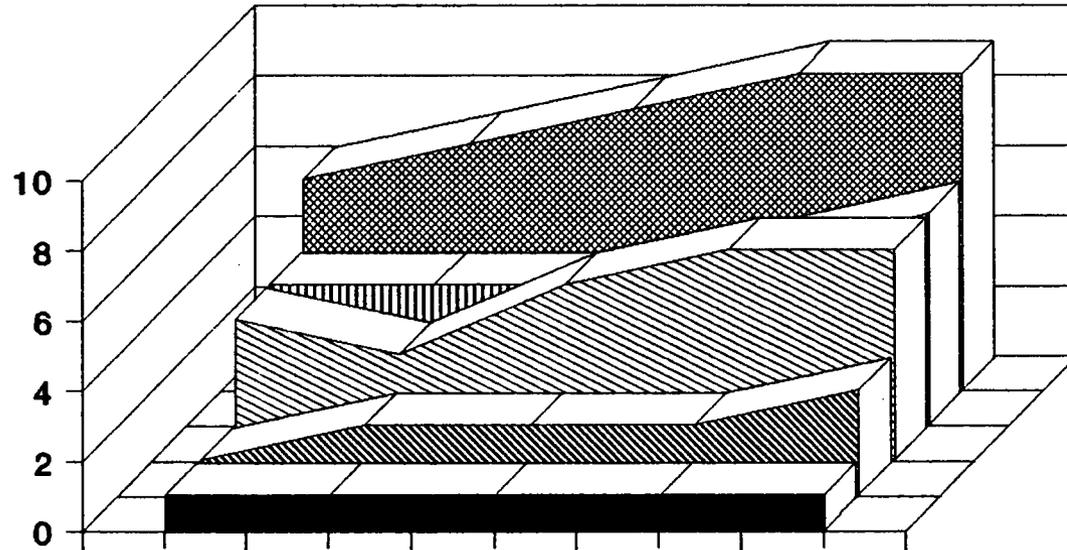
# DISTRIBUTION OF NATIVE AMERICANS IN GRADES 13 - 15 (PFT) FY-1986 THRU FY-1990



DATA AS OF SEPTEMBER 30, 1990

# SES BY GENDER AND MINORITY PERMANENT FULL TIME STAFF FY-1986 THRU FY-1990

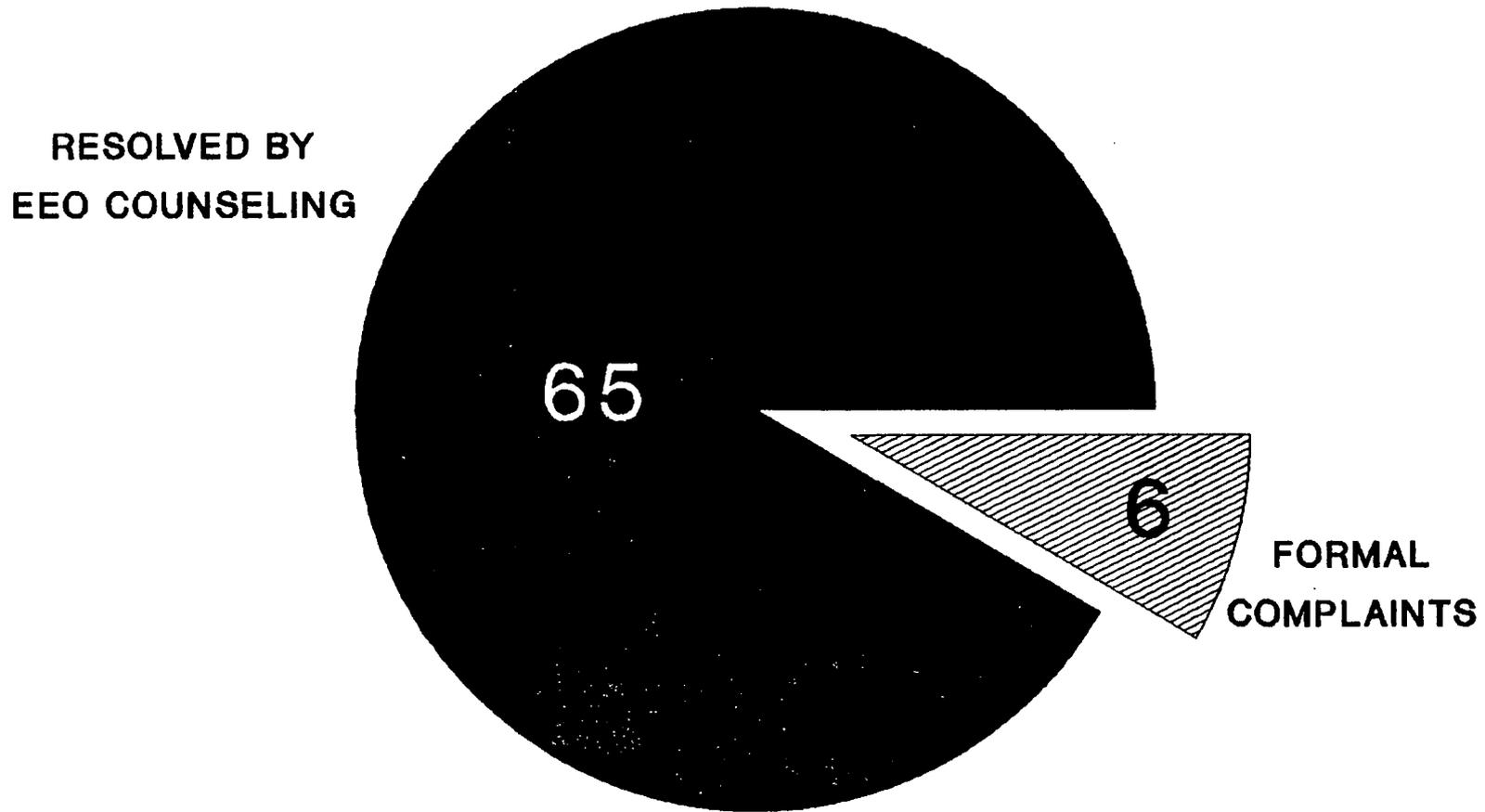
#  
P  
E  
R  
C  
A  
T  
E  
G  
O  
R  
Y



	1986	1987	1988	1989	1990
<b>TOTAL SES</b>	<b>193</b>	<b>194</b>	<b>204</b>	<b>204</b>	<b>210</b>
<b>WOMEN</b>	6	7	8	9	9
<b>BLACK</b>	4	4	4	5	6
<b>ASIAN</b>	4	3	5	6	6
<b>HISPANIC</b>	1	2	2	2	3
<b>NATIVE AMERICAN</b>	1	1	1	1	1

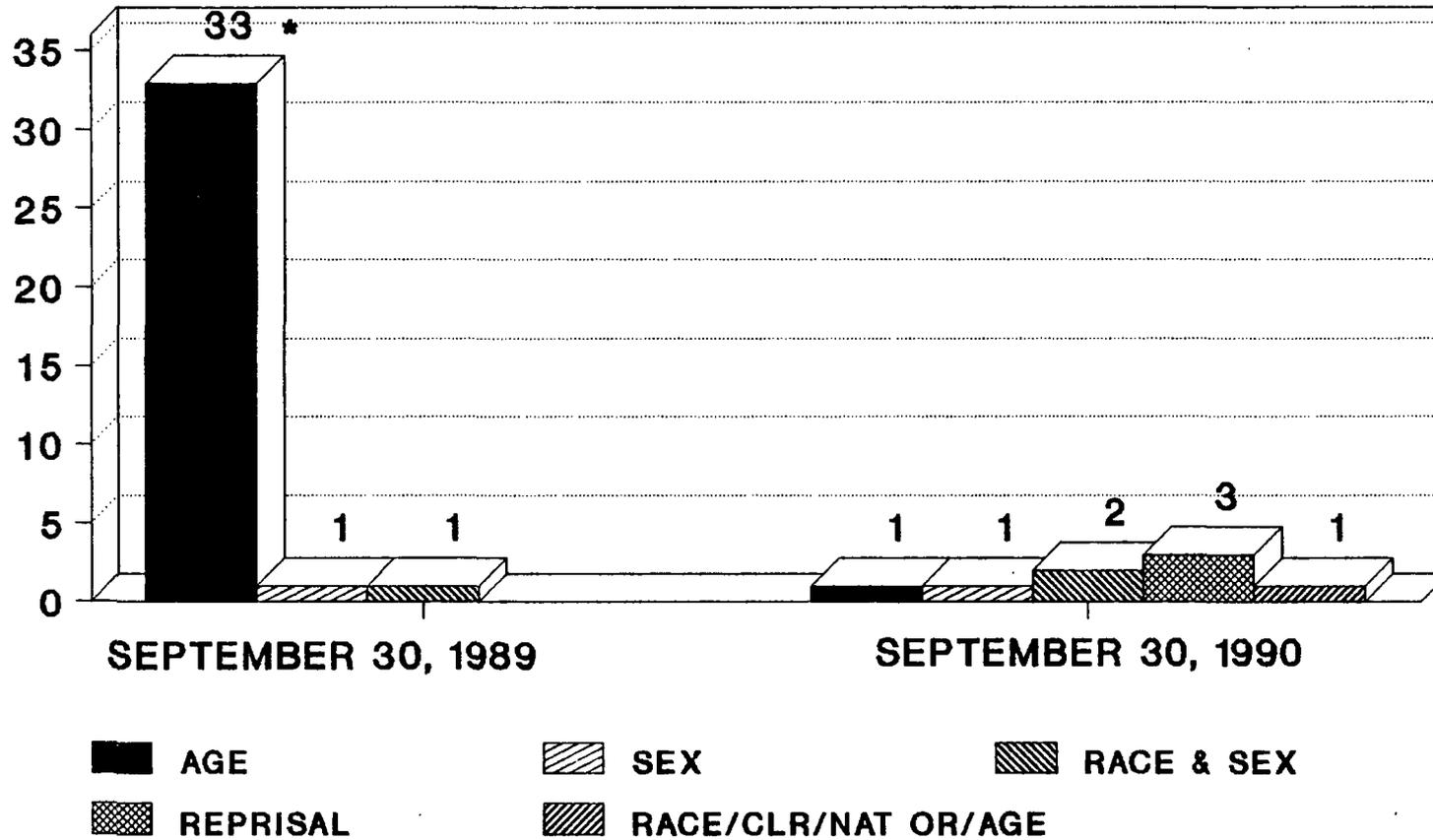
DATA AS OF SEPTEMBER 30, 1990

# EEO COMPLAINT ACTIVITY FISCAL YEAR 1990



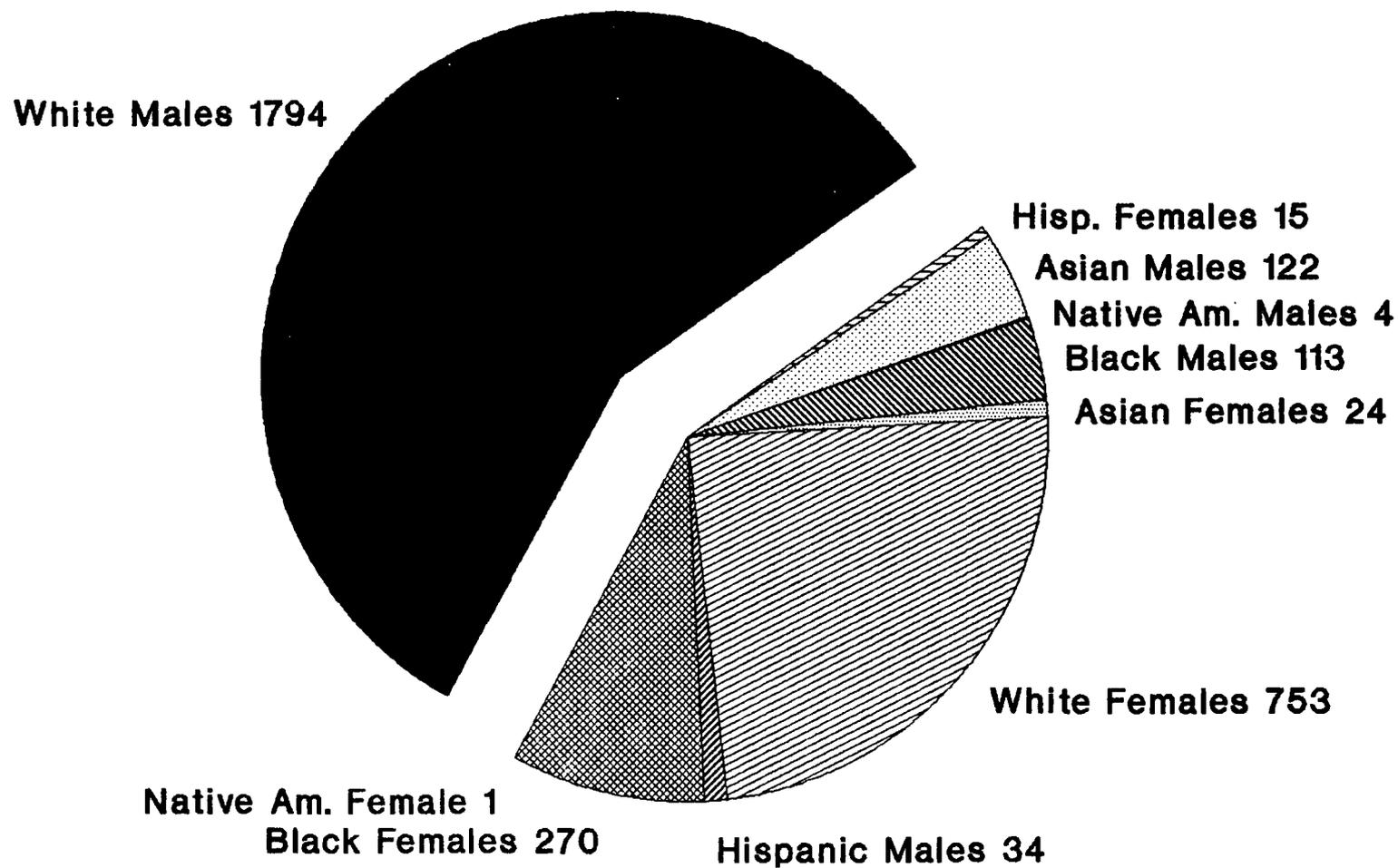
71 INSTANCES OF COUNSELING

# ACTIVE DISCRIMINATION COMPLAINTS BY COMPLAINT BASIS



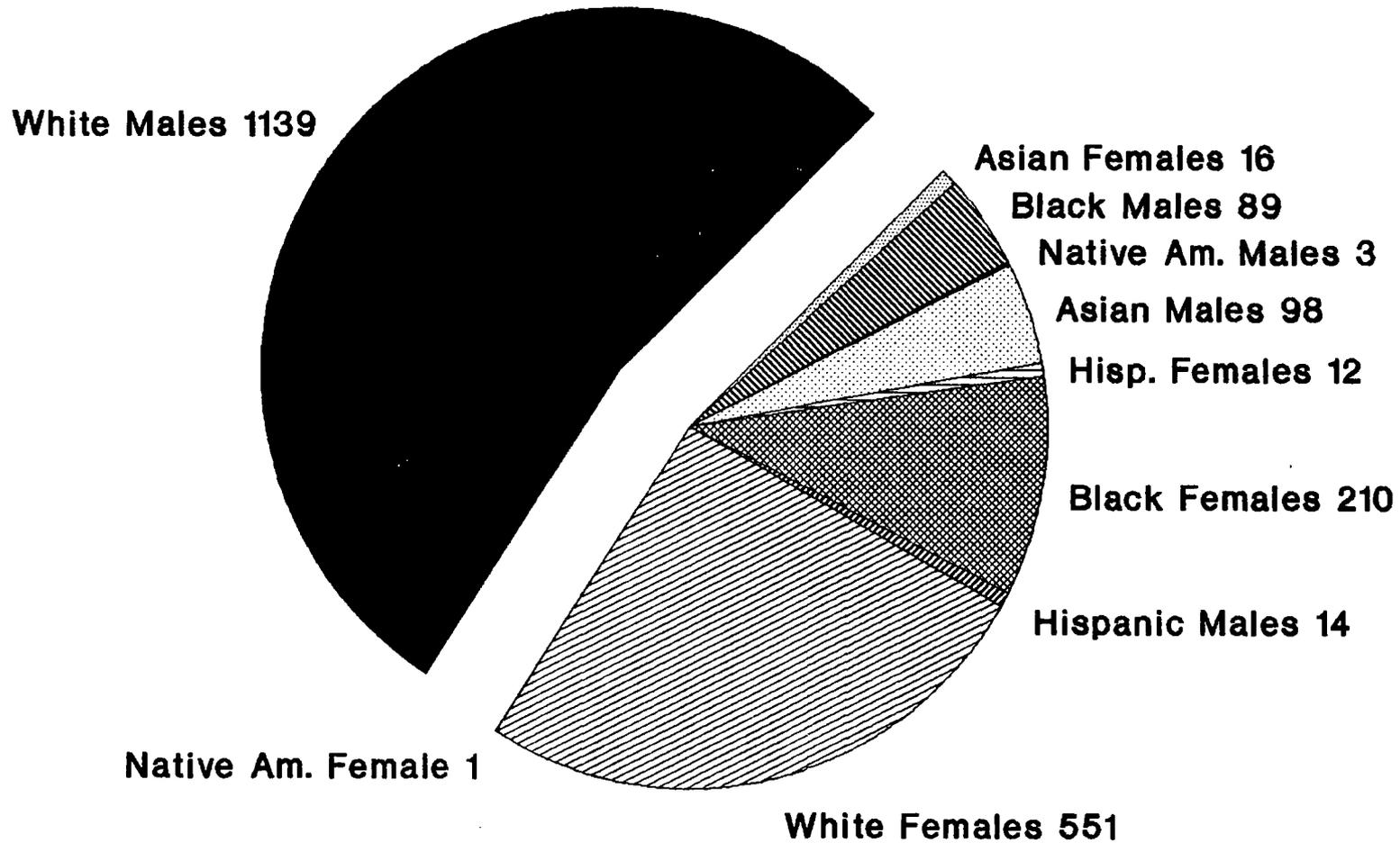
\* (Multiple complaints filed by 6 employees)

# TOTAL NRC EMPLOYEES (PFT) BY ETHNICITY AND GENDER



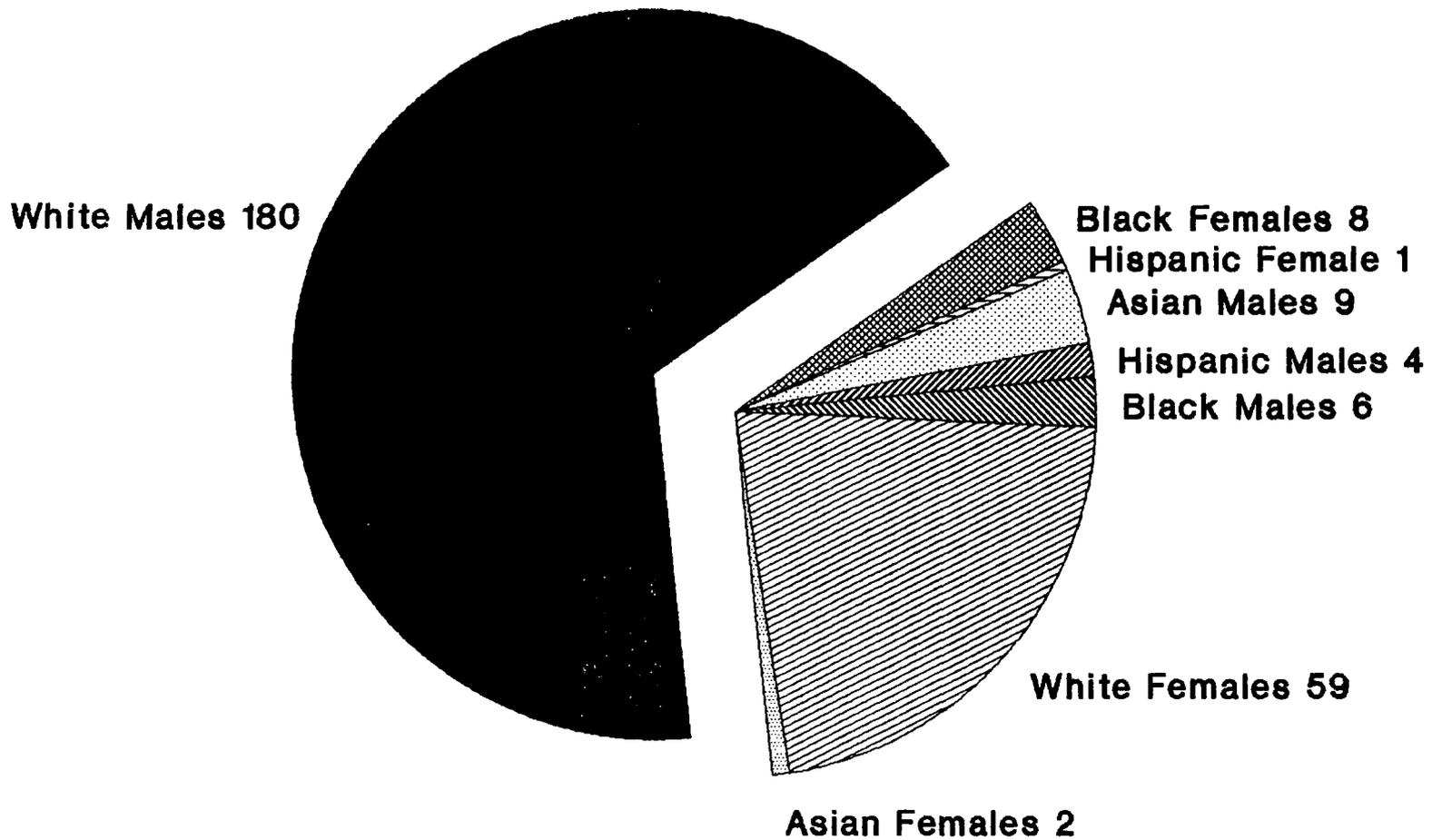
DATA AS OF SEPTEMBER 30, 1990

# HEADQUARTERS EMPLOYEES (PFT) BY ETHNICITY AND GENDER



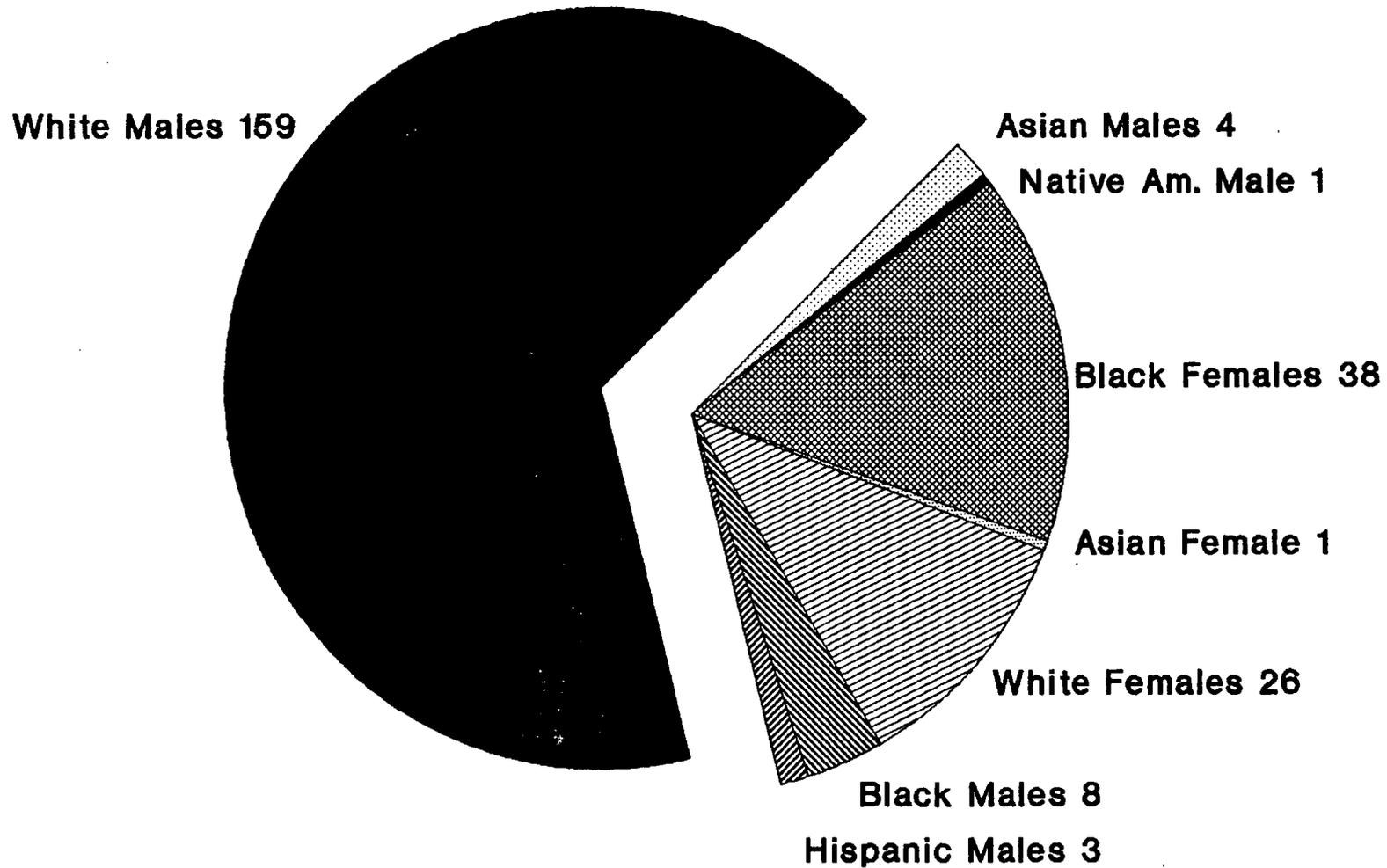
DATA AS OF SEPTEMBER 30, 1990

# REGION I EMPLOYEES (PFT) BY ETHNICITY AND GENDER



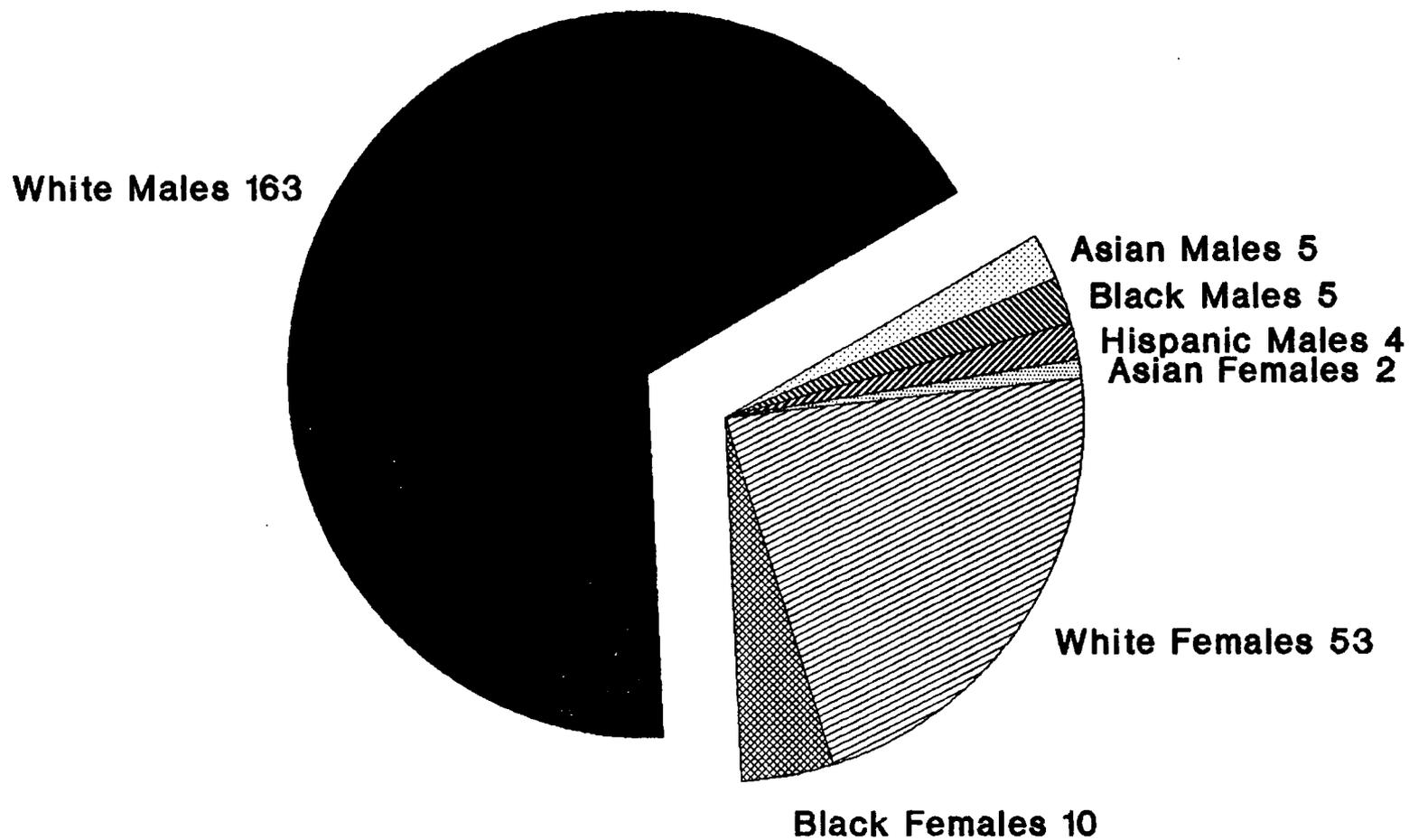
DATA AS OF SEPTEMBER 30, 1990

# REGION II EMPLOYEES (PFT) BY ETHNICITY AND GENDER



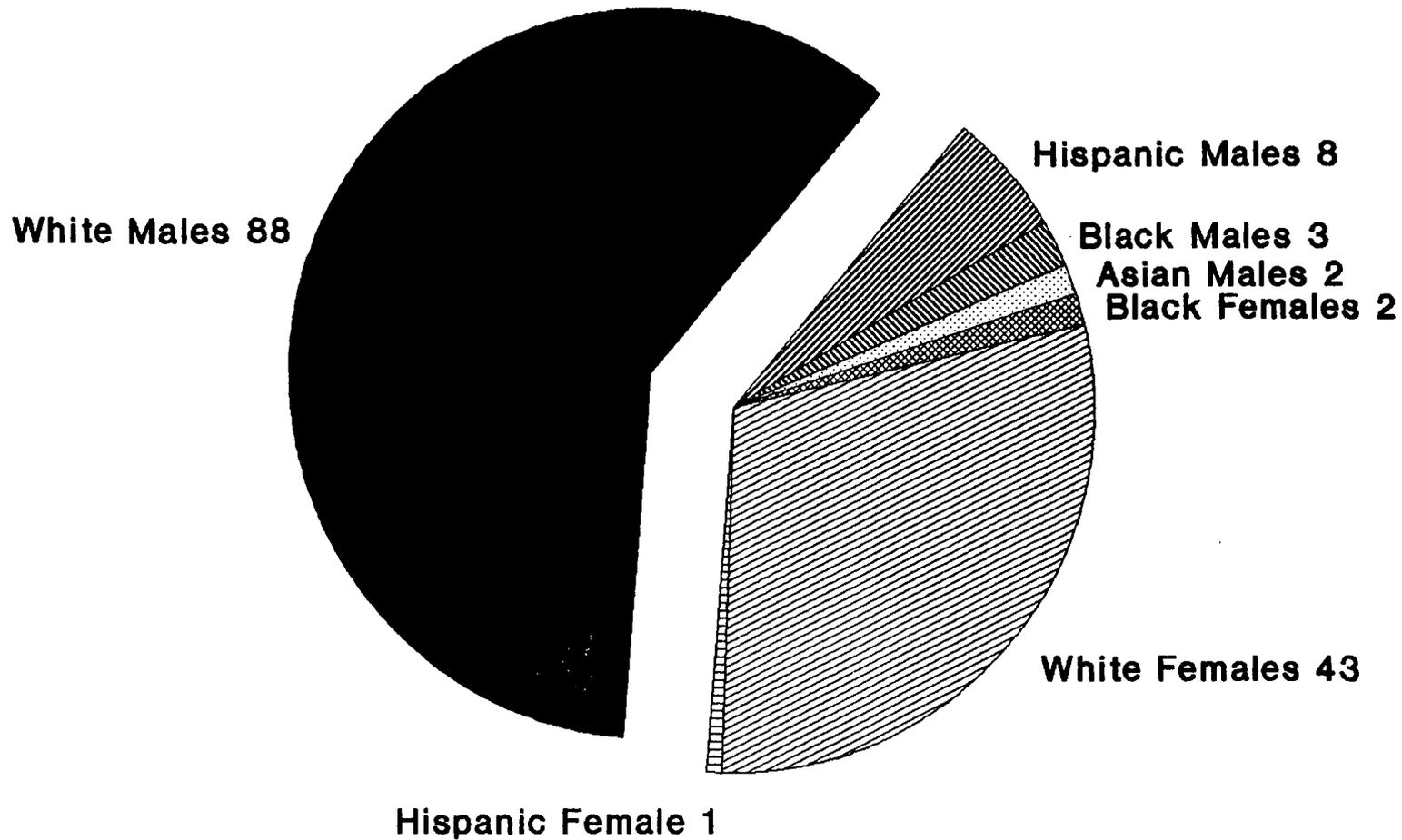
DATA AS OF SEPTEMBER 30, 1990

# REGION III EMPLOYEES (PFT) BY ETHNICITY AND GENDER



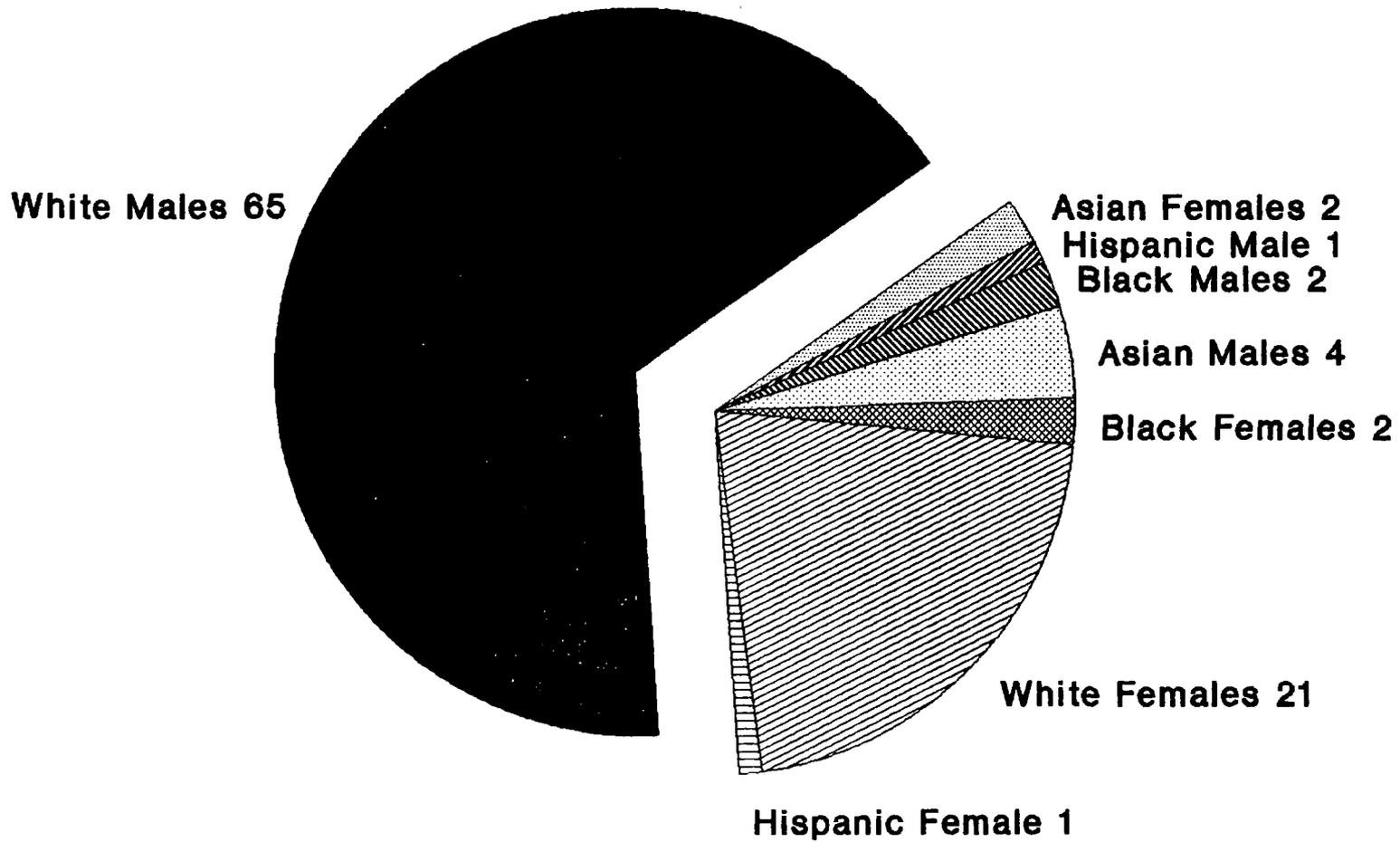
DATA AS OF SEPTEMBER 30, 1990

# REGION IV EMPLOYEES (PFT) BY ETHNICITY AND GENDER



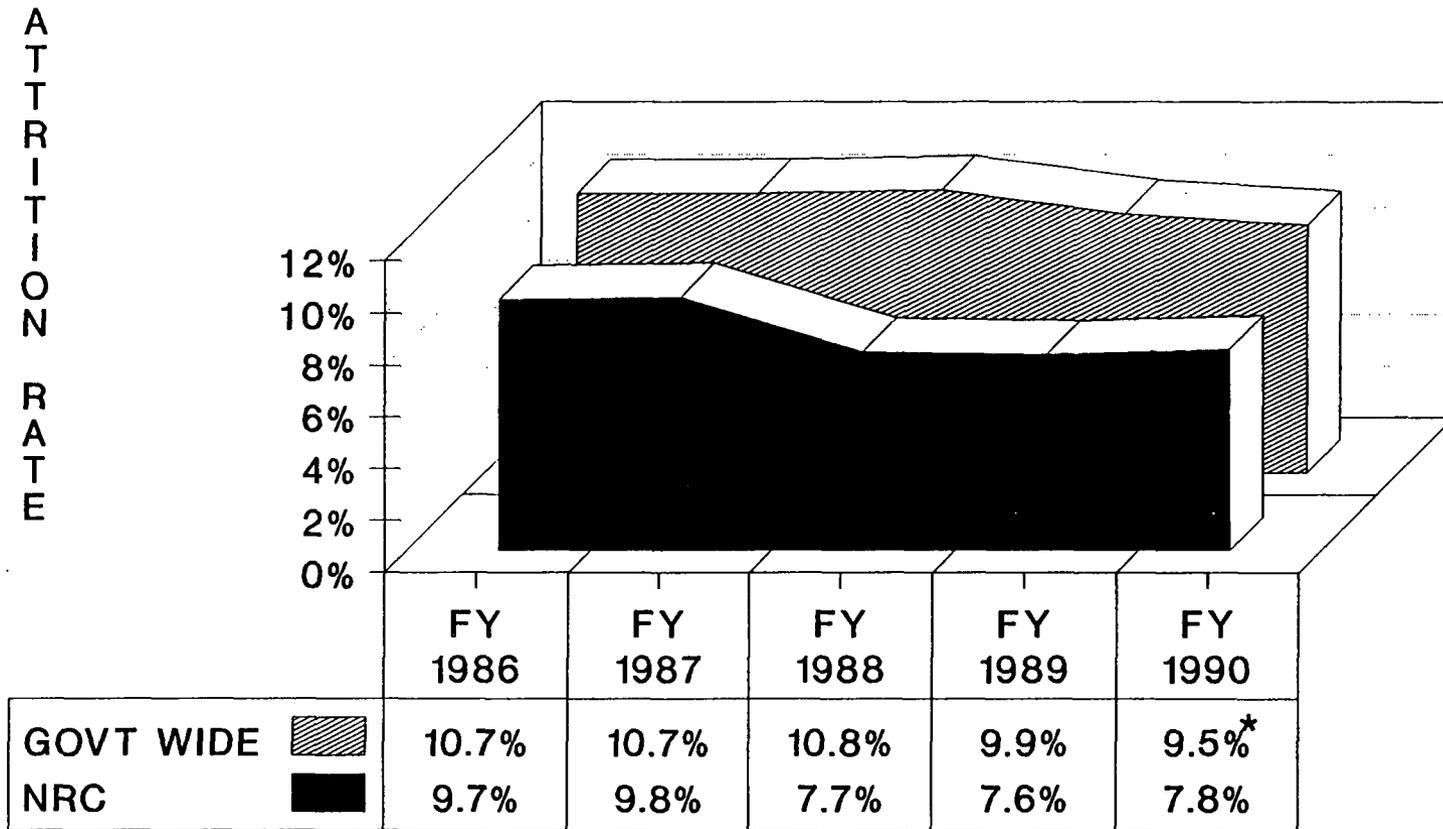
DATA AS OF SEPTEMBER 30, 1990

# REGION V EMPLOYEES (PFT) BY ETHNICITY AND GENDER



DATA AS OF SEPTEMBER 30, 1990

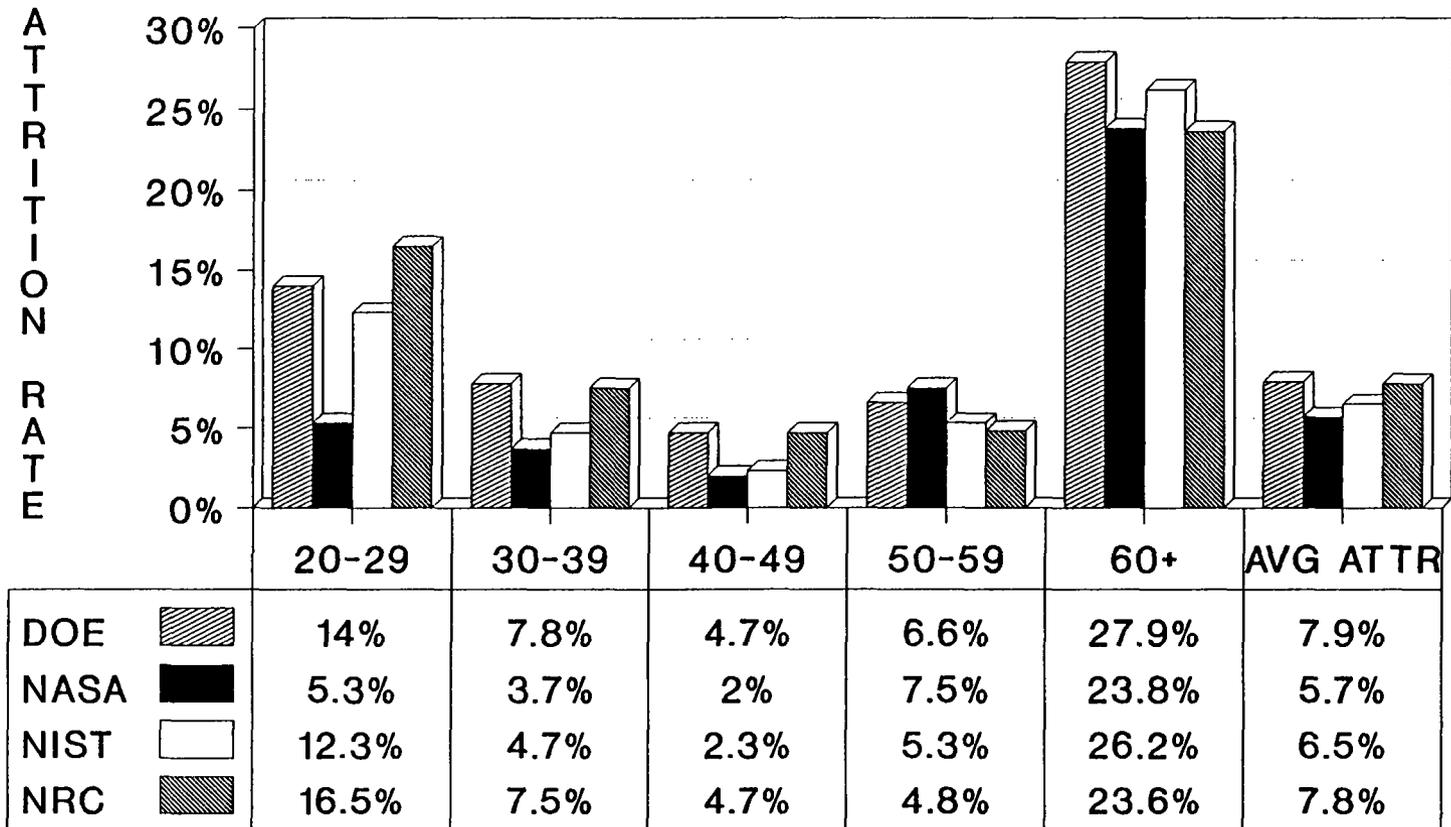
# COMPARISON OF ATTRITION GOVERNMENT WIDE VS. NRC FY-1986 THRU FY-1990



NRC DATA AS OF 9/30/90

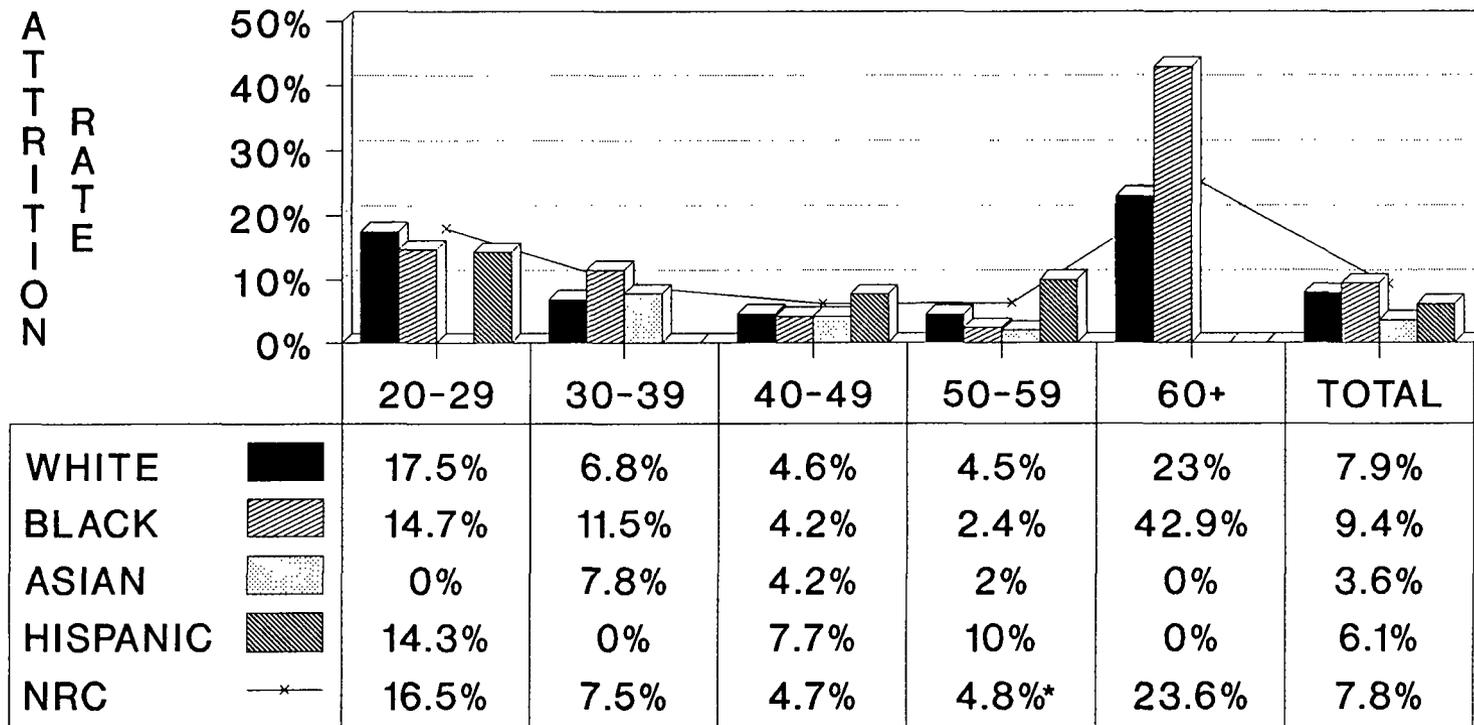
\* OPM ESTIMATED GOVT WIDE FY90 ATTRITION

# PFT ATTRITION NRC VS. SELECTED AGENCIES BY AGE GROUP FOR FY-1990



DATA AS OF 9/30/90

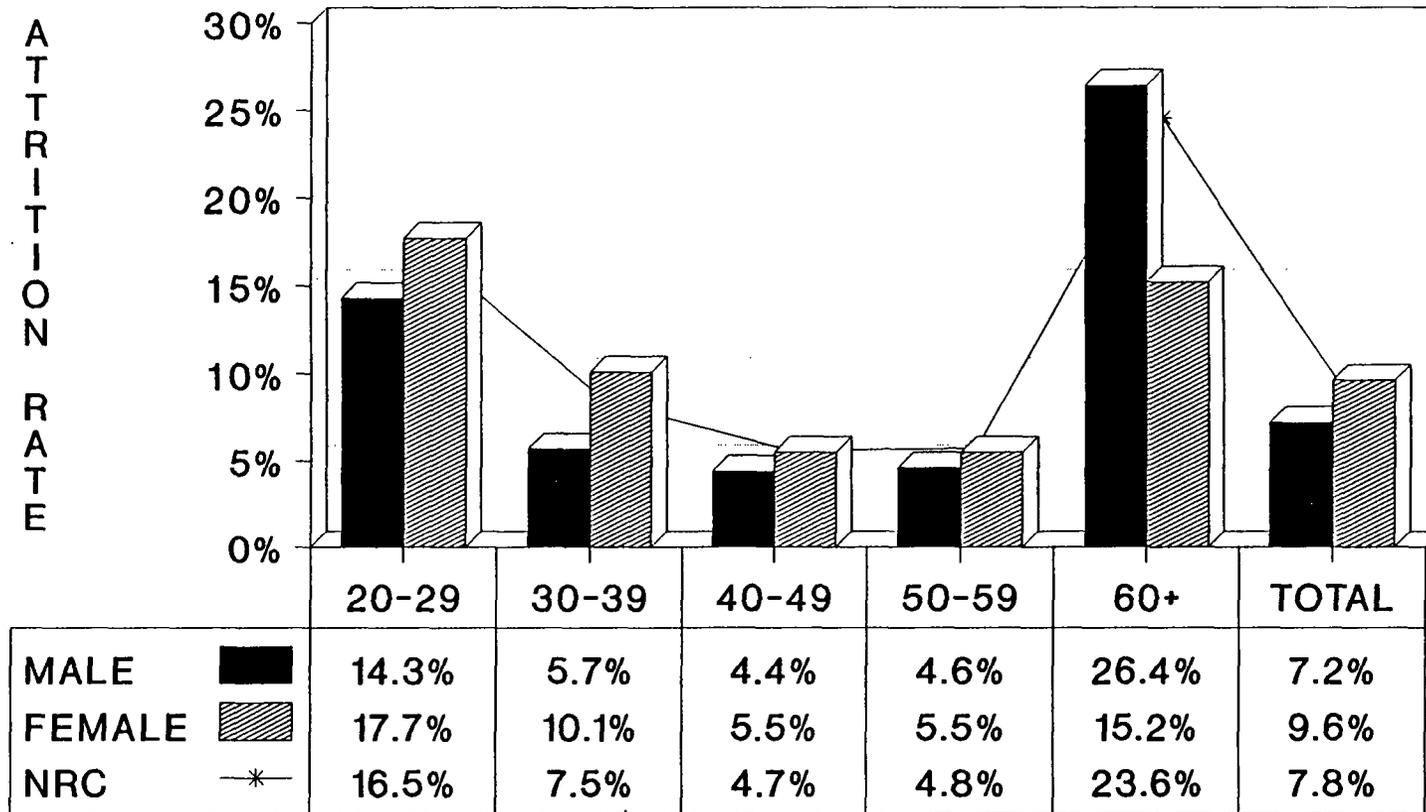
# EMPLOYEE ATTRITION BY AGE AND ETHNIC GROUP FOR FY-1990



DATA AS OF 9/30/90

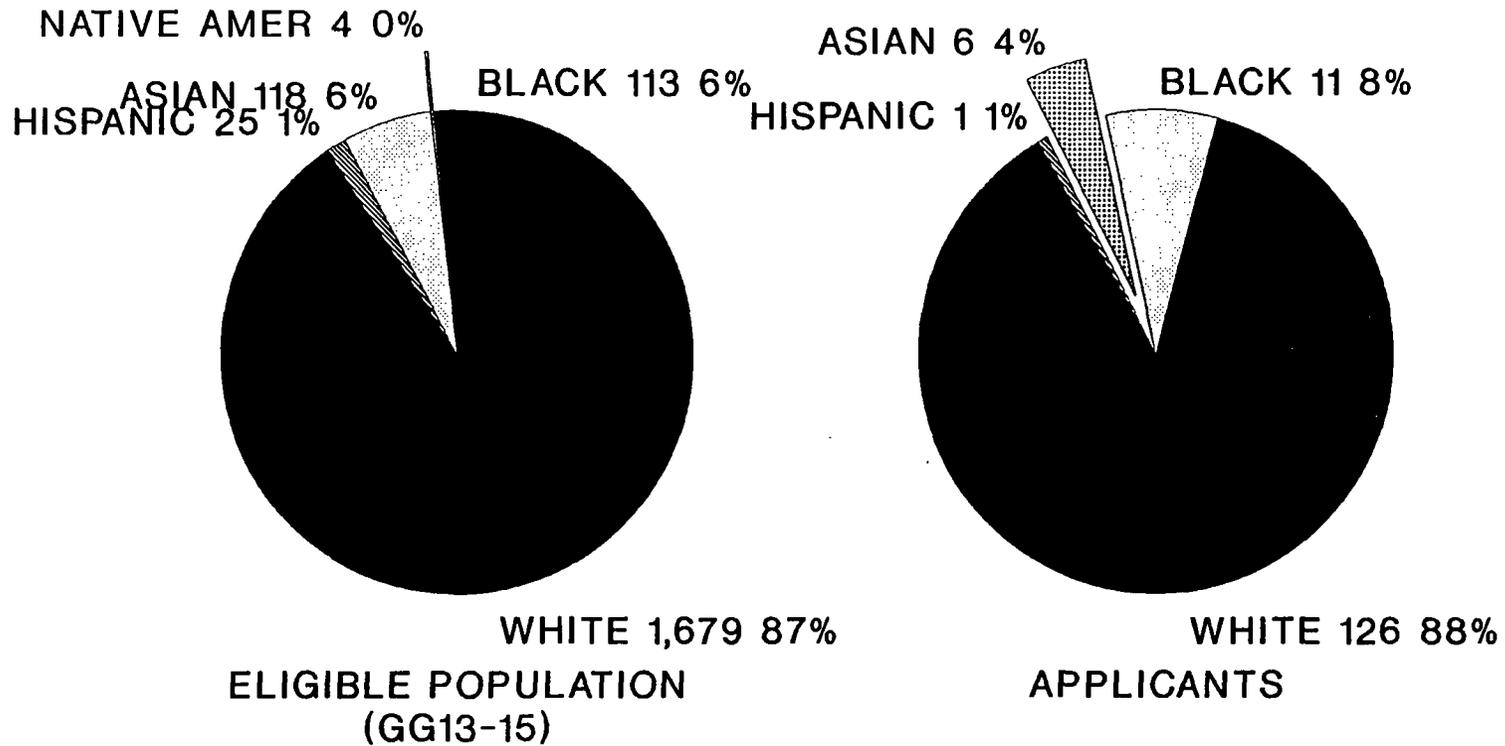
\* INCLUDES 1 NATIVE AMERICAN

# EMPLOYEE ATTRITION BY AGE GROUP AND GENDER FOR FY90



DATA AS OF 9/30/90

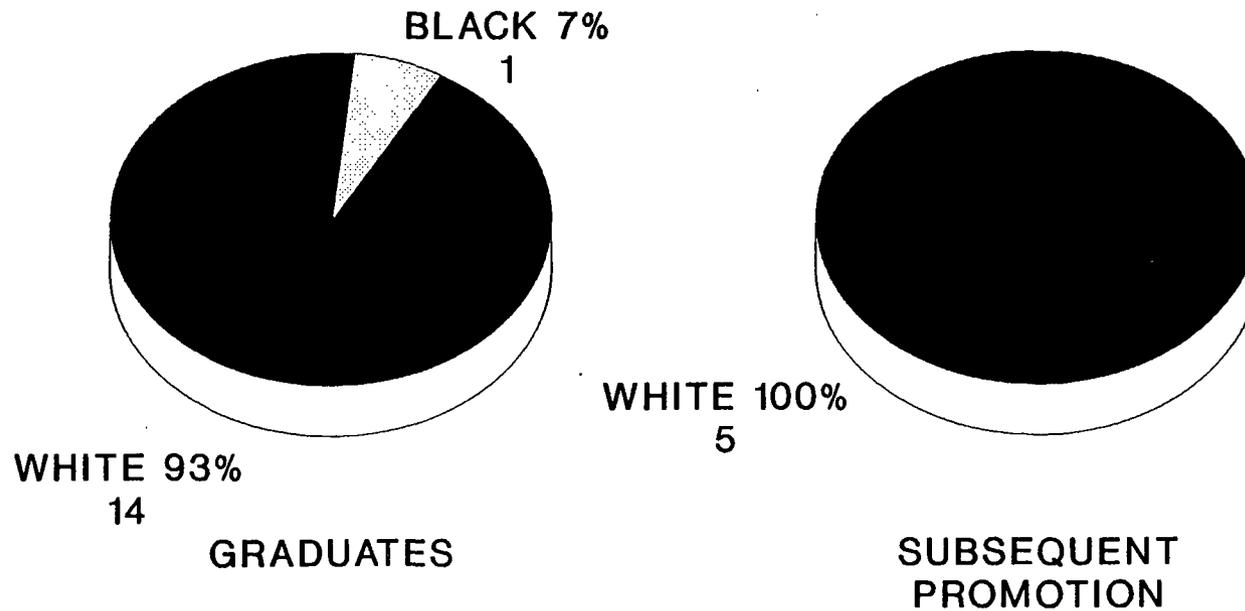
# EXECUTIVE POTENTIAL PROGRAM APPLICANTS BY ETHNICITY



FY 1988 - FY 1990 DATA

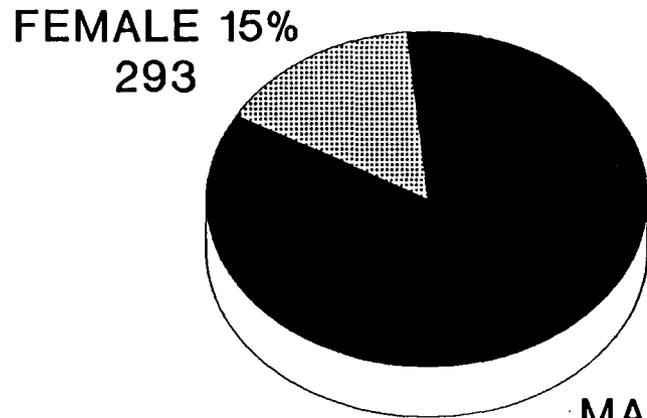
\* Percent may not total due to rounding

# EXECUTIVE POTENTIAL PROGRAM GRADUATES BY ETHNICITY

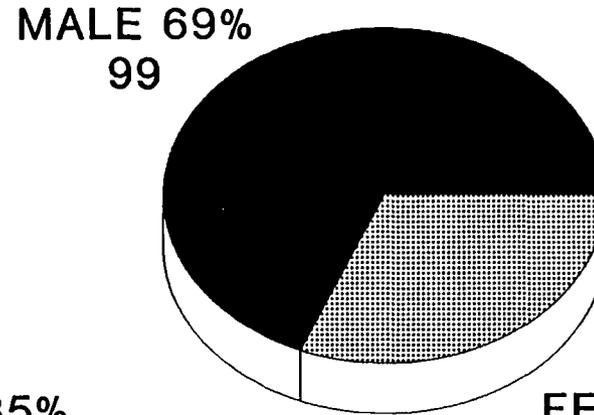


FY 1988 - FY 1990 DATA

# EXECUTIVE POTENTIAL PROGRAM APPLICANTS BY GENDER



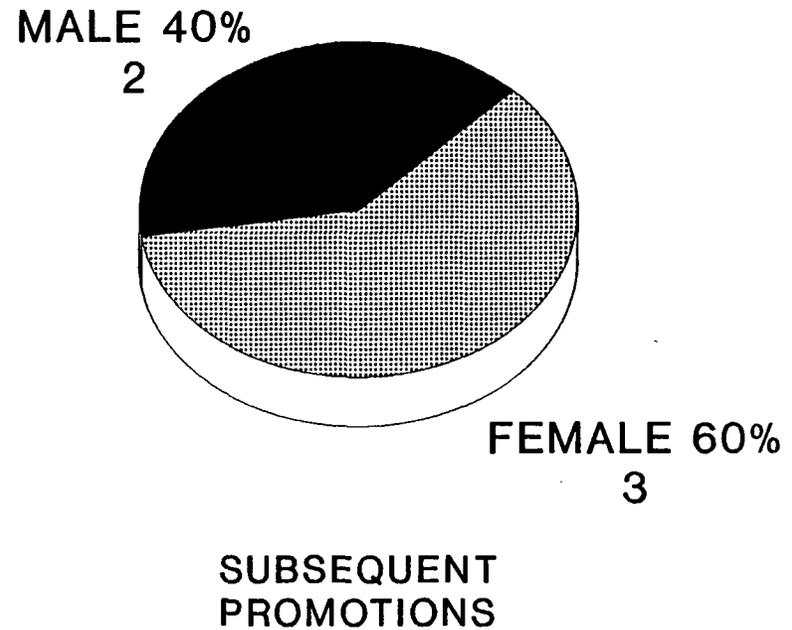
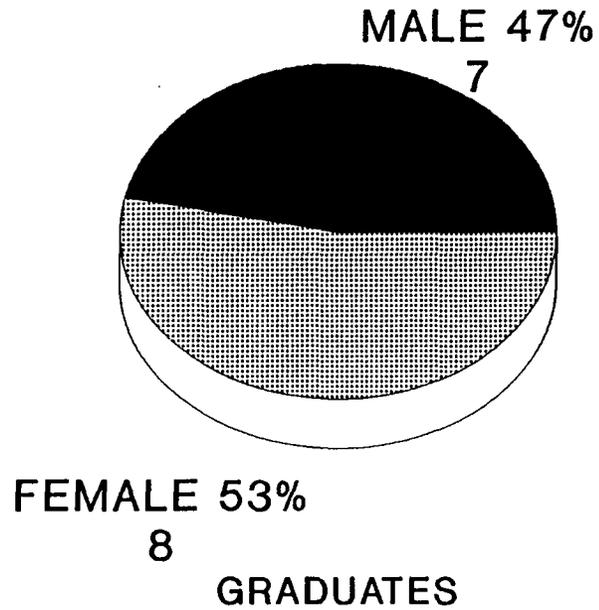
ELIGIBLE POPULATION  
(GG 13-15)



APPLICANTS

FY 1988 - FY 1990 DATA

# EXECUTIVE POTENTIAL PROGRAM GRADUATES BY GENDER



FY 1988 - FY 1990 DATA



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

11/30/90

SEMI-ANNUAL EEO COMMISSION BRIEFING  
DECEMBER 1990  
AFFIRMATIVE ACTION ADVISORY COMMITTEE

Mr. Chairman and Commissioners, the AAAC appreciates the opportunity to share with you our concerns regarding the status of current Equal Employment Opportunity (EEO) and Affirmative Action (AA) issues at the NRC.

We will focus our presentation on three major areas: 1) the preliminary AAAC review of the 1989 performance appraisal data; 2) the AAAC review of the NRC Rotational Assignment policy; and 3) the AAAC re-evaluation of the NRC Employee Suggestion Survey results.

#### 1989 Non-SES Performance Appraisal

The AAAC has completed a preliminary assessment of the 1989 non-SES performance appraisal ratings. White females in all grades continue to receive the highest average performance ratings in the agency, as they have for the past several years. In contrast, Black males in grades 1-8 have again dropped to the lowest group in average performance ratings, after having moved up to second lowest in 1988. The percentage of Outstanding ratings has remained virtually unchanged for White males in grades 13-15, White females in grades 1-8 and 9-12, and Black females in grades 1-8.

Several groups received lower ratings in 1989 as compared to 1988, in both the average rating and percentage of Outstanding ratings; however, the group populations have remained about the same. The employee groups for which the trend is markedly downward are, all minorities: Black males in grades 1-8 and 13-15; Black females in grades 9-12; and Asian males in grades 13-15. All these employees had peak performance ratings in 1988 as illustrated in the Table.

As noted in previous years, the performance ratings for White males in grades 13-15 appear to be age-dependent. In 1989, a significant fraction of White males between 45 and 55 years of age, received lower performance appraisal ratings than their younger counterparts.

Our concerns are: (1) White males 45 and older, in grades 13-15, continue to receive lower average performance rating than their younger counterparts, suggesting possible age biases (similar concerns were raised in the 1987 and 1988 AAAC performance appraisal assessments) and, (2) the downward trend of the minority employees' performance in 1989 suggests possible ethnic biases.

The AAAC has made similar statements to the Commission in previous EEO briefings and we believe that management needs to focus more attention on this issue. We recommend that first level supervision and management be made more aware of the performance appraisal disparities and be encouraged to maintain an increased sensitivity to these issues. Additionally, we recommend revising the appraisal process to lessen the subjectivity involved in rating an employee's performance such as, developing objective oriented elements and standards.

## NRC Rotational Assignment Policy

The AAAC was briefed by the Office of Personnel on the agency rotational assignment policy in July 1990. During the briefing we discussed the difference between a program and a policy; a policy is not a formalized (proceduralized) practice. We also discussed the mechanics of obtaining a rotational assignment, various administrative policy issues, policy implementation, rotation assignment purpose, individual and agency benefits, and feedback mechanisms for policy evaluation.

In our July 13, 1990 memorandum to OP we made recommendations regarding a mechanism for evaluating the rotational assignments. The Office of Personnel response indicated that a survey had been conducted to provide feedback on the rotational assignment policy. The results were overwhelmingly favorable by both employees and supervisors. Additionally, we requested specific employee profile data for individuals having participated in rotational assignments from the period June 1, 1989 through June 30, 1990.

Our preliminary review of the rotational assignment data indicates substantial increases in participation by the following offices: NRR, IRM, GPA, AEOD, and Region V. We noted considerable decreases in participation by ARM and OP. Further review, indicated an apparent contrast in individual participation based on gender, ethnicity, and grade level. White males, in grades 12 through SES, participated in 60% of all rotations. White females experienced the most even distribution from grades 6 through SES, accounting for 24% of all assignments. Black females experienced 12 rotations in grades 13-15 and 7-9. In contrast, minority male employees have experienced limited participation and only in grades 13 and above. The ethnic distribution is as follows: 3 Black males, 6 Asian males, and 4 Hispanic males. One Asian female and one Indian female also participated.

The purpose of the rotational assignment policy is to provide developmental opportunities, broad based experiences, and enhance NRC staff knowledge and abilities while fulfilling organizational and staffing needs. The AAAC believes that the rotational assignment policy should reflect more diversity among participants to effectively fulfill this purpose.

*Commission  
staff rotation*

## Employee Suggestion Survey Results

During the last EEO Commission briefing we reported the results of our Employee Survey analysis and recommendations to address some of the identified concerns. We received a response to our memorandum from Mr. Kerr's office, on behalf of the EDO. The response indicated that since attrition is low, morale is perceived to be good, and no further action is warranted to determine the root cause of negative responses to career and promotional opportunities questions.

After reviewing the response, we have re-evaluated our concern. Our memorandum dated September 26, 1990, expands the concern to include all NRC employees, not just minorities. Although minorities expressed greater dissatisfaction in the survey, the difference between the majority and minority responses were not statistically significant. We also requested the specific bases for the conclusion that morale at the NRC is perceived to be good.

In summary, the AAAC believes that these concerns affect the entire NRC workforce and if adequately addressed will increase productivity, enhance employee moral, and ensure fair treatment to the benefit of all agency employees.