

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**

**Title:            BRIEFING ON EQUAL EMPLOYMENT  
                     OPPORTUNITY - PUBLIC MEETING**

**Location:        Rockville, Maryland**

**Date:            Thursday, December 14, 1995**

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

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4 BRIEFING ON EQUAL EMPLOYMENT OPPORTUNITY

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6 PUBLIC MEETING  
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10 Nuclear Regulatory Commission  
11 One White Flint Plaza  
12 11555 Rockville Pike  
13 Rockville, Maryland  
14

15 Thursday, December 14, 1995  
16

17 The Commission met in open session, pursuant to  
18 notice, at 2:01 p.m., the Honorable SHIRLEY A. JACKSON,  
19 Chairman of the Commission, presiding.  
20

21 COMMISSIONERS PRESENT:

22 SHIRLEY A. JACKSON, Chairman of the Commission  
23 KENNETH C. ROGERS, Member of the Commission  
24  
25

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1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

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- JAMES TAYLOR, EDO
- PAUL BIRD, DIRECTOR, OFFICE OF PERSONNEL
- RAJI TRIPATHI, ASIAN PACIFIC AMERICAN ADVISORY  
COMMITTEE
- PETER BLOCH, AFFIRMATION ACTION ADVISORY COMMITTEE
- LARRY PITTIGLIO, JOINT LABOR MANAGEMENT EEO  
COMMITTEE
- KAREN CYR, GENERAL COUNSEL
- VANDY MILLER, DIRECTOR, OFFICE OF SMALL BUSINESS  
AND CIVIL RIGHTS
- HOWARD LARSON, FEDERAL WOMEN'S PROTECTION ADVISORY  
COMMITTEE
- MAGGALEAN WESTON, FEDERAL WOMEN'S PROTECTION  
ADVISORY COMMITTEE
- PATRICIA LAVINS, HISPANIC EMPLOYEES PROGRAM  
ADVISORY COMMITTEE
- REGINALD MITCHELL, ADVISORY COMMITTEE FOR AFRICAN  
AMERICANS

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

[2:01 p.m.]

CHAIRMAN JACKSON: Good afternoon. The Commission is meeting today to discuss the status of the Agency's Equal Employment Opportunity Program.

As most of you know, the NRC's executive director for Operations is required by the Energy Reorganization Act of 1974, as amended, to report to the Commission as semi-annual public meetings on problems, progress, and the status of NRC's EEO efforts.

In keeping with past practice, we will also be discussing issues raised by our employee EEO advisory committees.

Today's meeting will include a discussion of EEO issues from the perspective of office management. Then two of our Headquarters office directors and the administrator of NRC's Region II office will join us at the table, I understand.

The Commission's last meeting on this subject was before my time on April the 19th of this year. Before I turn this session over to the Staff to hear their presentations, I would like to make a few general observations of my own.

This is the first EEO briefing that has been scheduled since my application to the Commission. So I

1 reviewed with great care the background document that you  
2 provided and which is also available in the room for the  
3 audience.

4 As you have heard me say on other occasions, our  
5 mandate and the technical basis of our responsibilities make  
6 the quality of our staff of primary importance, but we must  
7 be sensitive to the need for opportunities for and the  
8 recognition of talent in all groups that make up the NRC  
9 Staff and recognize that all who have talent and are given  
10 the opportunity to use that talent strengthen our work.

11 With that perspective, I was impressed by the  
12 quality and comprehensiveness of the paper you provided and  
13 the extent of the activities underway in the Staff to  
14 support NRC's EEO objectives. Nevertheless, it was  
15 impossible to avoid the conclusion that the Agency's EEO  
16 program is beginning to feel the impact of downsizing,  
17 streamlining, and budget reductions, and that we face  
18 challenge and uncertainty both from the long- and short-term  
19 perspectives.

20 Based on my own experience, I strongly believe  
21 that whenever expectations are shattered, the key to  
22 restoring orderly progress is through the exercise of  
23 leadership exercised in this Agency by the Commission and  
24 the senior staff.

25 I am confident that we have the commitment and the

1 programs in place to utilize and to develop our employees.  
2 Our purpose today is to explore how the effort to reduce the  
3 size of Government has affected our EEO efforts and how we  
4 plan to adjust to them.

5 Commissioner Rogers, do you have any comments you  
6 would like to make at this time?

7 COMMISSIONER ROGERS: Nothing in addition. Thank  
8 you.

9 CHAIRMAN JACKSON: If not, Mr. Taylor, you may  
10 proceed.

11 MR. TAYLOR: Good afternoon. With me at the table  
12 are, to my right, Paul Bird, director, Office of Personnel;  
13 and Vandy Miller, director of the Office of Small Business  
14 and Civil rights.

15 Vandy now will introduce the members of the EEO  
16 advisory committees.

17 MR. MILLER: Good afternoon, Chairman Jackson and  
18 Commissioner Rogers.

19 It gives me great pleasure this afternoon to  
20 introduce our fine committees here at this agency, and I  
21 want to start off on my left here and introduce Reginald  
22 Mitchell who is the chair for the Advisory Committee for  
23 African-Americans, and next to him is Patricia Lavins who is  
24 the chair for Hispanic Employees Program Advisory Committee,  
25 and next to her is Maggalean Weston who is the chair for

1 Federal Women's Program Advisory Committee, and next to her  
2 is Howard Larson who is the chair for the Committee on Age  
3 Discrimination.

4 Then to my far right here we have Raji Tripathi,  
5 chair for the Asian-Pacific American Advisory Committee, and  
6 to her right would be Peter Bloch who is the chair for the  
7 Affirmative Action Advisory Committee, and next to Peter is  
8 Larry Pittiglio who is the chair for the Joint Labor  
9 Management Equal Employment Opportunity Committee.

10 Back to you, Mr. Taylor.

11 MR. TAYLOR: Thank you, Vandy.

12 As you mentioned, Chairman, I provided the  
13 Commission with an information paper on the status of our  
14 program, and copies, as you noted, have been made available  
15 to the Staff.

16 I would like to open with a few remarks. First,  
17 the six key areas in which the Staff has focussed its  
18 efforts in 1995 are: one, enhancing opportunities for  
19 recruiting Hispanic employees; enhancing opportunities for  
20 recruiting women and minorities in professional positions;  
21 three, expanding the pool of women and minorities for  
22 supervisory management executive and senior-level positions;  
23 four, enhancing opportunities for attracting, developing,  
24 and retaining disabled employees; five, providing training  
25 and developmental opportunities; and six, improving

1 communications and our evaluation process.

2 We have made some progress in many of these areas  
3 since fiscal year '92, even though more work has to be done.  
4 We have seen a steady increase in Hispanic employment from  
5 1992 of about 16 percent. Six Hispanic employees were hired  
6 in fiscal year '95, twice the number that we were able to  
7 hire in fiscal year '94.

8 We have seen a slow but steady increase of 8  
9 percent in women and minorities in professional positions.  
10 There have been gains for women and minorities in the feeder  
11 groups for these positions.

12 In addition, we are beginning to see the results  
13 of two developmental programs that help to expand the pool  
14 of employees ready for supervisory, management, and  
15 executive position, the supervisory development program for  
16 preparing Grade 14 and 15 employees for first-line  
17 supervisory positions and the senior executive service  
18 candidate development program for identifying and training  
19 Grade 14 and 15 employees for SES positions.

20 Of this 27 supervisory development program  
21 participants who have completed the program just this past  
22 February, February of '95, seven have been selected for  
23 supervisory positions. Five of those seven are women or  
24 minorities.

25 Of the 23 SES candidate development program

1 participants who completed their program in October 1995 and  
2 were subsequently certified by the Office of Personnel  
3 Management as eligible for the SES, six candidates,  
4 including one women and one minority male, have been  
5 appointed to the SES.

6           The number of women in the SES increased from 13  
7 in fiscal year '94 to 14 in fiscal year 1995. The number of  
8 minorities in the SES remained at 13, same as it was in '94.  
9 Although NRC's allocation of SES positions authorized by the  
10 Office of Personnel Management is declining from a base of  
11 220 under which the Agency operated for several years to 210  
12 by the end of fiscal year 1995, and we projected to be 199  
13 by the end of fiscal year 1977, the size of the senior level  
14 system will increase.

15           In November 1994, I authorized the establishment  
16 of 10 additional senior-level service positions. These  
17 positions provide additional opportunities for women and  
18 minorities in Grades 13 through 15 to apply.

19           I would note that in this past fiscal year, one  
20 Asian-Pacific-American male joined the senior level service.

21           We continue to make positive actions and make the  
22 NRC a workplace that is conducive to hiring developing and  
23 retaining employees with disabilities. We have expanded our  
24 resource base for recruiting persons with disabilities. We  
25 have made workplace accommodations, where possible, such as

1 constructing ramps for wheelchair accessibility, providing  
2 special computer monitors for the visually impaired, and  
3 providing sign language interpreters for the hearing  
4 impaired.

5 Many employees, including women and minorities,  
6 continue to take advantage of a wide array of training and  
7 developmental opportunities in order to succeed in their  
8 current jobs or prepare for future jobs that are essential  
9 to accomplishing the Agency's mission.

10 We have made progress in improving communication  
11 and heightening awareness and evaluating progress through  
12 the EEO counseling process, the town meetings with managers  
13 and supervisors under Vandy's direction, to presentations  
14 marking specific EEO-related celebrations and observances  
15 and through candid dialogue with the seven EEO advisory  
16 committees.

17 I believe we have created work environment that is  
18 conducive to retaining the diverse work force which we have  
19 been building. We have a first-rate child development  
20 center, a high-quality health facility that offers a  
21 comprehensive wellness program, a state-of-the-art fitness  
22 center, an employee assistance program where you can get  
23 assistance in handling personal, family, and work-related  
24 problems, flexible work schedules that help our personnel  
25 meet family needs, and as needed, a work-at-home schedule

1 for temporary personal incapacitation or hardships that may  
2 arise.

3 I believe the NRC is a good place to work. We  
4 will continue to try to make it a better place and also one  
5 that values the diversity and the contributions of all that  
6 is in place.

7 I will now ask Vandy Miller to give his remarks.

8 MR. MILLER: Thank you, Mr. Taylor.

9 Chairman Jackson and Commissioner Rogers, I feel  
10 like an old-timer here now because I have been here at this  
11 table -- this is my third or fourth time. However, I want  
12 you to know that I put everything into this paper this time  
13 because I think this is probably going to be my last  
14 briefing. No one knows that. This is the first time anyone  
15 has heard this. So I wanted to tell you that first, and I  
16 really want to let you know that I have given this office my  
17 best shot, and from my comments today, hopefully, you will  
18 conclude that I have.

19 What I would like to do today, I would like to  
20 cover about five areas. I would like to tell you about the  
21 role of the Office of Small Business and Civil Rights and  
22 the Office of Personnel and Management in carrying out the  
23 EEO initiatives. Then I would like to discuss the  
24 importance of the EEO advisory committees and the EEO  
25 counselors; third, the common EEO issues which all

1 committees support; fourth, the EEO complaint process; and  
2 five, EEO accomplishments.

3 As you are aware, the six EEO initiatives have  
4 remained a major priority for the Agency, even in light of  
5 restrictions imposed by the National Performance Review.

6 It is important that management and staff continue  
7 to work together in carrying out the objectives of the EEO  
8 program. The Office of Small Business and Civil Rights, the  
9 Office of Personnel, have worked closely together to ensure  
10 that all actions and activities consistent with the six EEO  
11 initiatives are strongly supported and met.

12 The SBCR coordinated numerous town meetings with  
13 managers and supervisors in all offices and regions to  
14 facilitate open and candid discussions regarding the Agency  
15 EEO program. Their roles and responsibilities support the  
16 EEO program, and lessons learned from the program, the SBCR  
17 also held periodic meetings with the seven EEO advisory  
18 committees whose responsibility it is to advise the SBCR and  
19 the executive director for Operations on EEO-related  
20 matters.

21 The EEO counselors provide a most valuable service  
22 to resolve potential EEO complaints and other problems  
23 through the counseling process.

24 The Agency also provides excellent EEO training  
25 for the staff to enhance their awareness of EEO. All of

1 these efforts support our theme of CPC which means  
2 communications with all, partnership for all and cooperation  
3 by all.

4 CPC is essential to ensure effective, even if not  
5 always smooth, operations of our program initiatives. CPC  
6 was applied in the development of the new Joint EEO Advisory  
7 Committee statement. That is in the EEO paper that you have  
8 today.

9 The joint statement is a new approach for the  
10 committees and has not been without some growing pains. The  
11 new joint approach which is different from the individual  
12 statements the committees provided in the past was to be  
13 implemented to improve coordination and review of similar  
14 contingency issues and data by the advisory committees to  
15 gain consensus on common contingency issues, enhance  
16 communications and productivity between committees and  
17 reduce any duplication of work effort on the part of EEO  
18 advisory committees and the Staff.

19 The assistance given by both the EEO counselors  
20 and the EEO advisory committees is another example of what  
21 CPC is all about. The assistance given by both of these  
22 groups or volunteers has been most beneficial to my office  
23 and the Agency as a whole.

24 Now, recommendations from the advisory committees  
25 to enhance or improve upon administrative policies,

1 programs, and practices have resulted in the collaboration  
2 of better products and services and communications between  
3 the Staff and management.

4 We have worked on many of the recommendations and  
5 issues with the committees and agree that we should continue  
6 to focus on some of the concerns, such as hiring Hispanics  
7 in all occupations, enhancing minority and women  
8 representation in senior-level technical, supervisory, and  
9 management positions, continuing the Agency's progressive  
10 training and developmental program, especially rotations,  
11 and continue to improve communications and evaluation of our  
12 progress in all of these areas.

13 Additionally, the EEO counselor support has  
14 minimized the number of formal complaints filed this year.  
15 Even though there has been an overall increase in the number  
16 of formal complaints filed during this period, this year,  
17 increase is due in part to an increase in the number of  
18 complaints filed by Asian employees based on race, national  
19 origin, and age discrimination.

20 Over the past five years, however, from 1991 to  
21 1995, a total of 60 complaints were filed, the majority of  
22 which were filed by white men based on age discrimination.  
23 The number of formal complaints filed at this agency, an  
24 average of about 12 yearly, is kept relatively low. This is  
25 commendable when compared to other agencies of our size.

1 I believe that this record is due in part to the  
2 EEO counselor's ability to reach workable solutions to  
3 potential problems at an early stage, as is noted. The  
4 number of informal contacts made by the EEO counselors  
5 average over a hundred each year. The difference in this  
6 number of 100 and the average number of formal complaints  
7 filed, 12, speaks very positively of the EEO counselor's  
8 role.

9 We have accomplished many of our goals which are  
10 highlighted in the EEO Commission paper. However, I would  
11 like to briefly summarize some of these.

12 We were able to attract and hire Hispanics in  
13 three occupational areas: clerical, administrative, and  
14 professional. The selection of women and minorities in the  
15 supervisory development program and the SES candidate  
16 development program enhanced our pool for placement of women  
17 and minorities in supervisory and executive positions by  
18 competitive action.

19 The number of minorities and women in the GG-13/15  
20 grade level increased slightly. We were able to continue to  
21 find a very ambitious training and development program,  
22 recognizing that our employees are best investment for the  
23 future. We completed an ambitious recruiting schedule to  
24 attract highly qualified persons with disabilities.

25 Communications of EEO objectives was completed

1 through EEO training, sexual harassment training, the focus  
2 of group study by CPC and town meetings, by EEO counselors,  
3 by EEO advisory committees, and through the annual  
4 establishment of office EEO goals and objectives.

5 In closing, I would like to thank all the  
6 committee parties for their continued support of the NRC  
7 Equal Employment Program. We have come a long ways, and we  
8 still have a ways to go.

9 Thank you.

10 CHAIRMAN JACKSON: Thank you.

11 MR. MILLER: Now I would like to comment at this  
12 time for the committees. There are at least four committees  
13 that will have a short statement similar to what I have just  
14 stated myself. So we will call on the speakers from my left  
15 here around to my right.

16 So the first speaker today from the committees'  
17 standpoint will be Reginald Mitchell.

18 MR. MITCHELL: Thank you, Vandy.

19 Good afternoon, Chairman Jackson, Commissioner  
20 Rogers. The Advisory Committee for African-Americans, ACAA,  
21 would like to thank you for the opportunity to make a brief  
22 statement on the status of the EEO at the NRC.

23 First, we would like to emphasize Chart 2.8 in the  
24 EEO SECY paper which shows that there are no  
25 African-American females at the SES levels, and in fact,

1 there are no minority females at the SES level.

2 It is important to note that this has always been  
3 the case here at NRC. However, ACAA recognized the Agency  
4 effort to diversify the SES ranks, as is evident by the 40  
5 percent increase of nonminority females in the SES ranks  
6 over the last five years.

7 While we applaud the Agency for this achievement,  
8 we will remind the Commission that minority females have not  
9 been a part of this increase of diversity in the SES ranks.

10 Furthermore, a point should be made that no  
11 African-American females exist in positions in the program  
12 offices, that being NRR, NMSS, and Research at the Grade 15  
13 level.

14 Unfortunately, the small number of  
15 African-American females in the program offices at the GG-14  
16 level have not progressed. Currently, there are five  
17 African-American females at the GG-14 level with four or  
18 more years of experience in grade and 10 African-American  
19 females at the GG-13 level.

20 It is the hope of ACAA that these employees will  
21 have the opportunity to compete and be strongly considered  
22 for future vacancies in the program offices.

23 Based on the non-availability of qualified inside  
24 candidates at the GG-15 level, the likelihood of  
25 African-American females in a technical area at the SES

1 level is not foreseen in the short term. Therefore,  
2 perhaps, increased emphasis should be placed in identifying  
3 outside sources of potential candidates for employment  
4 consideration in technical areas at the GG-15 and SES level.

5 However, in the longer term, ACAA would like to  
6 see increased emphasis placed on the development of  
7 experienced in-house African-American females in the program  
8 offices.

9 In closing, we would like to encourage the Agency  
10 to continue to vigorously seek qualified African-American  
11 female candidates for consideration at the GG-15 and SES  
12 levels in the program offices.

13 Thank you.

14 MR. MILLER: Now we will call on Maggalean Weston  
15 from the Federal Women's Program Advisory Committee at this  
16 time.

17 MS. WESTON: Thank you very much, Vandy.

18 Chairman Jackson and Commissioner Rogers, FEWPAC,  
19 or the Federal Woman's Program Advisory Committee, would  
20 like to concur in the African-American Advisory Committee  
21 statement made by Mr. Mitchell.

22 In addition, we would like to add the following  
23 comments. With regard to clerical and administrative job  
24 series, in 1974, a group of secretaries got together  
25 regarding job-related concerns. As a result of that

1 meeting, there was a secretarial task force formed. Out of  
2 that task force came some initiatives, and as of 1995, we  
3 have not seen any efforts with regards to those initiatives.  
4 We would like to encourage the Commission to pursue those  
5 initiatives with regard to its relationship to the clerical  
6 and administrative employees in the agencies.

7 To that end, FEWPAC is trying to help by  
8 sponsoring in January a lunch-time seminar related to career  
9 strategies to help all employees, but especially clerical  
10 and administrative employees, to look at the various  
11 training programs that the Agency has available for it.

12 Our second comment is with regards to the day care  
13 center. While by all accounts the day care center is a  
14 resounding success from both parents and students, the high  
15 cost of the day care center takes that out of the reach of  
16 some of the lower-graded employees.

17 Therefore, FEWPAC would like to recommend that the  
18 NRC continue to explore ways to make the day care center  
19 more affordable for lower-graded employees.

20 Thank you

21 MR. MILLER: Thank you, Maggalean.

22 To my right now we have Raji Tripathi from the  
23 Asian-Pacific Advisory Committee who will speak at this  
24 time.

25 MS. TRIPATHI: Thank you, Vandy.

1           Madam Chairman and Commissioner Rogers, on behalf  
2 of the Asian-Pacific-American Advisory Committee, I very  
3 much appreciate this opportunity to address a couple of  
4 points.

5           I have comments in three general areas. One has  
6 already been affirmed by Maggalean Weston, Reginald  
7 Mitchell, that there is definitely an under-representation  
8 of minorities, especially minority women both in senior  
9 grades, as well as at the supervisory and management levels.

10           We have requested the Office of Personnel and also  
11 the Office of Civil Rights that in the future, the EEO  
12 briefing paper should include a breakdown both by ethnicity  
13 as well as gender, and that would unquestionably demonstrate  
14 that there is definitely an under-representation.

15           I am sure the Agency is undertaking different  
16 initiatives, and if they are continuing wholeheartedly, then  
17 perhaps in time to come we will see some definite changes,  
18 but the picture so far has been rather dismal.

19           My second point, I have a close connection to  
20 this. In the last EEO Commission briefing, we had presented  
21 before the Commission the issue of nonselection of  
22 Asian-Pacific-Americans on the best qualified list for  
23 promotions to GG-15 levels.

24           The point here, the 14 to 15 promotions in the  
25 Headquarters, the same issue is also true for promotions

1 from GG-13 to 14 levels in the regions.

2           There were several indications. Some areas of  
3 nonselection or cases have been previously identified by an  
4 EEO counselor to the director, Office of Small Business and  
5 Civil Rights, and Mr. Miller already in his statement  
6 acknowledged that there has been an increasing number of  
7 complaints by the Asian-Pacific-Americans, the EEO  
8 complaints.

9           Also, in the last briefing, Ms. Norry, chairman of  
10 the Executive Resources Board Review Group, presented a  
11 slide which also showed instances of nonselections of  
12 Asian-Pacific Americans from the best qualified members.

13           I remember Commissioner Rogers had specifically  
14 made the comment at the briefing concerning that.

15           We have conducted also an informal survey of some  
16 of our constituents, and even though it is a small sample,  
17 it is still a viable sample, given the small population of  
18 the Asian-Pacific-Americans at the Agency.

19           In general, many of the respondents to our survey  
20 indicated that they have consistently applied for  
21 promotional opportunities, only to make the best qualified  
22 list and never do get selected.

23           Some of these instances do suggest that there  
24 could be possible biases or a lack of understanding on the  
25 part of our supervisors and managers as far as what the

1 Agency's commitment to the affirmative action is.

2 If you look at the under-representation of  
3 minorities and women at the senior grades and at the  
4 management and supervisor levels, and in that picture, if  
5 you look at the nonselections from the best qualified list,  
6 it is not the great revelation because if people are not in  
7 the beginning of the race and they are not in the running,  
8 it is not a surprise that they will never make it to the  
9 finish line.

10 At the time of downsizing, this is even a greater  
11 problem, and we all recognize that this definitely has a  
12 tremendous demoralizing effect on all. It is not a minority  
13 issue anymore. It is not just an Asian-Pacific-American  
14 concern. I think it generally affects all the Agency  
15 employees, but particularly those who try time after time  
16 and have a performance record to show and do not get ahead.

17 Somehow, some way, they are going to sit back and  
18 say, well, I don't have to work any harder, I can just come  
19 here, have a great time, and goodbye. So I think it is in  
20 the Agency's interest that we must get the most out of very  
21 highly qualified and very highly skilled staff. So this  
22 issue does need some examination, a rather serious  
23 examination.

24 Our last point is not a complaint. Rather, it is  
25 a compliment. We commend Mr. Miller for his initiatives to

1 establish and sustain the Executive Resources Board Review  
2 Group.

3 We recognize that this group has made and  
4 continues to make very positive contributions.

5 We recognize that this group represents the women  
6 and minority population of the Agency and does not represent  
7 any specific special emphasis groups.

8 It is our understanding that the current  
9 membership of this group includes minority women, Hispanic,  
10 and African-Americans.

11 We would request the Commission and also Mr.  
12 Miller to consider perhaps in future appointing an  
13 Asian-Pacific-American manager to this group.

14 We understand that you in voting, usually members,  
15 do not look out for any particular constituencies. We  
16 simply are making this recommendation. Let this group which  
17 is performing tremendously to be as diverse as the makeup of  
18 the Agency.

19 Thank you very much.

20 MR. MILLER: Now we will have last, but not least,  
21 Judge Peter Bloch, who is going to speak as the chair of the  
22 Affirmative Action Advisory Committee.

23 Peter?

24 MR. BLOCH: Thank you, Mr. Miller.

25 Chairman Jackson, Commissioner Rogers, the

1 Affirmative Action Advisory Committee is concerned, first,  
2 about improved monitoring of affirmative action programs  
3 and, second, about the improved use of existing internal  
4 personnel resources.

5 We have some general comments that are favorable  
6 to the Agency as well.

7 In the area of monitoring, we are particularly  
8 concerned about the programs that are supposed to be  
9 accomplishing results in affirmative action to see what the  
10 results of the programs are. It is the standard management  
11 practice, it is sound practice, and it should be done.

12 I would like you to look, perhaps later, within  
13 the affirmative action objectives that were set forth by the  
14 Staff. If you look at page 1.11, Section 5, on training,  
15 you will see that there is a lot of information on training  
16 and developmental opportunities, but nothing about results.  
17 That is the kind of thing we would like to see monitoring  
18 on.

19 Well, what comes out of that in terms of  
20 advancement for the people who take those training and  
21 developmental opportunities?

22 I have noticed that on the earlier page, 1.9,  
23 enhancing opportunities for attracting, developing, and  
24 retraining disabled -- excuse me -- the section on the pool  
25 of women and minorities, there is the breakdown of exactly

1 how many people are going to be promoted, how many people  
2 received higher grades as a result of the program they were  
3 in.

4 So what I see is that the Office of Personnel  
5 knows how to see results when they have got them. I would  
6 like to see them reporting the results in other places, and  
7 the minimum is that the Affirmative Action Advisory  
8 Committee should be talking with the Office of Personnel  
9 about what data to collect, not just receiving the data that  
10 has been traditionally collected.

11 We want to take a part in devising the monitoring  
12 program of the Agency. We have asked for that, and we have  
13 been told that it is not available, that there aren't the  
14 resources for that.

15 In addition to that kind of monitoring, we also  
16 would like to see root-caused determinations on the  
17 affirmative action complaints in the Agency. We understand  
18 that there is a careful look at each individual complaint  
19 and that it is possible that SBCR also looks at the group of  
20 cases to see if there is anything to learn overall, but  
21 there is on discussion with the Agency about what patterns  
22 are found in the group of complaints. To me, that is  
23 important. That is a root cause determination, much like we  
24 ask the nuclear plants to determine the root causes of  
25 problems that they see.

1           In the area of personnel resources, what I am most  
2 concerned about is that we have developed a computerized  
3 agency in a very efficient way. This has changed the nature  
4 of work. Professionals are now more often handling typing  
5 and administrative tasks that previously were done by  
6 support staff.

7           The computer, on the other hand, makes it possible  
8 to redesign jobs, so that the people who are not capped at  
9 the GS-9 level or below, where most of our women and  
10 minorities in the Agency are found, could be identified for  
11 jobs that they can do with proper additional training and  
12 proper use of computers. They may be able to take on tasks  
13 that are now handled by professionals, but that don't have  
14 to be handled by professionals.

15           I don't know how much potential there is there.  
16 What I would like to see is a serious examination by  
17 Personnel of the possibility that that can happen. That is  
18 one way for us to change our society, so that people who are  
19 women and minorities and are capped at low levels have an  
20 opportunity to advance.

21           As the Chairman said, that is one way for us to be  
22 sensitive to reach for opportunity for all groups.

23           I have two other points about the use of  
24 resources. One is that the advisory committees often have  
25 complaints from their constituents, and I would like to see

1 the Office of Personnel become our ally in investigating  
2 those complaints. It now feels more like they are an  
3 adversary. We are asked to bring an additional brick and we  
4 are asked to prove our point.

5 I would like to see the Office of Personnel devise  
6 ways of checking on whether views that are held by  
7 substantial numbers of employees about discrimination are or  
8 are not true.

9 One important reason to do that is that we know  
10 there is a certain arbitrariness in any selection decision,  
11 no matter how well-intentioned the supervisor, and what can  
12 happen is to have an outside group look at a group of  
13 choices, just to see if there is anything that can be  
14 learned not about intentional bias, but about unintentional  
15 actions of supervisors that might result in choice of people  
16 who are more like themselves.

17 One reason to be sensitive to that is that the  
18 Executive Resources Board Review Group has looked at best  
19 qualified applicants in selections, and if you look at the  
20 charts that they will present, you will see that there are  
21 fewer white males in the best qualified applicants pool, but  
22 more in the selections pool. There seems to be a higher  
23 percentage of selections of white males than not, and I  
24 think we ought to at least be looking at whether there are  
25 subtle factors that are taking place that affect that

1 occurrence.

2 I would like to say that in many ways the program  
3 of the Agency is excellent. The increase in the use of  
4 Hispanics and women during this very difficult period is  
5 something certainly to be applauded.

6 The opportunities for people to use the facilities  
7 of the Agency such as the day care center are certainly  
8 helpful to families and to the use of women and minorities.

9 I am proud to be a part of this Agency, and I am  
10 convinced that there is no intentional discrimination going  
11 on.

12 It is because of that, that I feel particularly  
13 strongly that we should be looking for subtle factors that  
14 could be influencing us to do things that people are  
15 concerned about, and we should take seriously the concerns  
16 of the advisory committees making creative attempts to  
17 monitor the problems that we think are seen within the  
18 Agency.

19 So the answers that I see for further improvement  
20 are in the areas of monitoring, looking for ways to use  
21 internal resources, and more actively working with the  
22 advisory committees to assemble the evidence to resolve the  
23 complaints that come to us.

24 Thank you.

25 MR. MILLER: Chairman Jackson, this now ends up

1 the comments by the few committees that spoke, and I just  
2 want to point out that just because some of the other  
3 committees did not speak, they probably felt that their  
4 information has been very well stated in the Commission  
5 paper and they chose not to speak. So don't let that be a  
6 deterrent in any way that they didn't speak to you today.

7 CHAIRMAN JACKSON: Nonetheless, I will give anyone  
8 who is at the table -- Mr. Larson, Mr. Pittiglio, would you  
9 care to make any comments?

10 MR. LARSON: No. I think that many of the  
11 comments that Peter Bloch and the others made are  
12 applicable.

13 I know as far as the Age Discrimination Committee  
14 is concerned, we felt strongly that root causes should be  
15 analyzed which seems to be a difficulty in being able to get  
16 that as a recognized problem.

17 We felt that just because we have criteria for  
18 selection and that there is guidance and standards provided  
19 that we should have some measurable means of determining  
20 whether or not this advice and guidance is worthwhile.

21 We also felt that in some of the areas of data  
22 that we had provided information on trends showing that  
23 performance ratings decrease as the groups get older. We  
24 thought that was significant data, but we were told that,  
25 legalistically, the break point is above and below 40 and

1 that that is really what matters as far as the Commission is  
2 concerned.

3 I know as far as the constituency of the Age  
4 Discrimination Committee that the trends are important to  
5 them, and that the groups are large enough. In the age  
6 group greater than 55, there is some 377 nonsupervisory  
7 people in that group, and yet, insofar as the highest  
8 performance ratings, the numbers decreased to, like, 24  
9 percent from an average over 40 of 48 percent, but that data  
10 is in our paper.

11 CHAIRMAN JACKSON: Thank you.

12 MR. PITTIGLIO: I would just like to say that our  
13 concerns were identified in the paper and we are happy with  
14 that, but take the opportunity to recognize both the  
15 Commission and Jim Taylor for turning over to the child care  
16 center just recently the GSA recycled money of \$26,000.

17 I also function as the treasurer of the child care  
18 center, and I think that that money will certainly resolve  
19 the concerns raised by the Federal women's program in  
20 providing scholarship money to help all inner city children.

21 Thank you.

22 CHAIRMAN JACKSON: Let me ask a few questions.

23 I think Mr. Bird can answer this question. Is  
24 there a mechanism, or can there be, for addressing some of  
25 the concerns relative to more detailed monitoring of the

1 various programs from an outcomes perspective along the  
2 lines of some of what has been suggested by several this  
3 morning?

4 MR. BIRD: Perhaps I would be a little concerned  
5 just off the top of my head about trying to track training  
6 specifically to a result in a promotion. I think that for  
7 last year, for example, we had over 14,000 instances of  
8 training. Maybe that could be refined to some point where  
9 technical training at the TTC or something less than 14,000  
10 occurrences might be traceable to some future outcome, but  
11 in most cases, unless there is a program like the SES  
12 candidate development program, there is no assumption that a  
13 promotion might result at the end of having participated in  
14 the program.

15 Those that are specific programs are exceptions to  
16 that, but if you take all training and try to tie that, I  
17 think that would be a very difficult tie to make and a very  
18 difficult monitoring analysis, unless it can be limited  
19 somewhat, and we can talk about how those limitations might  
20 work, certainly, and we do meet. Vandy and I and our staffs  
21 meet with the committees regularly, and certainly, we can  
22 take that up and see if there is some basis on which we  
23 could proceed with that.

24 CHAIRMAN JACKSON: Another question I had relative  
25 to the issue in terms of root cause, relative to complaints,

1 a mechanism for reviewing discrimination allegations.

2 We do have allegation review processes in other  
3 areas. Tell me a little more about --

4 MR. BIRD: I think that may fall more to Vandy  
5 than to myself, but I think, again, and I will defer to  
6 Vandy on this, to the extent that you can categorize  
7 complaints, then to some extent, you may be able to do some  
8 root-cause analysis of what may lead to those complaints.

9 Vandy, would you like to pick up on that?

10 MR. MILLER: Certainly, I can.

11 We do some root-cause studies, but we are not a  
12 large agency, and one of the things we made very clear to  
13 these committees is that we talk about causes of some cases.  
14 You can very easily trace a lot of cases to individual  
15 people because we are just not a big agency.

16 We give out about as much information as we can  
17 without actually pinpointing who the case was involved with,  
18 and with the standpoint of some of the EEO complaints, we  
19 get reports from EEOC that sort of summarizes things for us,  
20 and that information is available to the committees.

21 Maybe we are not getting it and making it very  
22 well known to them that that is available, but it is  
23 available.

24 CHAIRMAN JACKSON: In this case of people being on  
25 best qualified lists and not in the selection pool, what

1 kind of feedback is given to people in terms of their  
2 nonselection, and are they given recommendations of how they  
3 miss the mark a given time and how they might make it the  
4 next time, and is there some follow-up?

5 MR. BIRD: I think the answer is it is a mixed  
6 bag, sort of depending on the supervisor or manager  
7 involved.

8 I think some managers do a much better job of  
9 talking to people who may have been on the BQL about the  
10 reasons that they decided to make the decision they made,  
11 and there is feedback offered in some cases.

12 I think in other cases, that may be less so, and I  
13 think that what we could do is encourage those that are in  
14 the position to make selections to be sure that there, first  
15 of all, is a nondiscriminatory basis for that selection, and  
16 then to try to make as much information as possible  
17 available to those that were in that best qualified group.

18 Secondly, I think we can continue to look at that  
19 in an overall sense of how things are turning out and go  
20 back in a more general way and talk to the whole audience of  
21 managers about how we might improve that process and make  
22 sure that we are continuing to focus on areas of under-  
23 representation.

24 CHAIRMAN JACKSON: Well, it is true that it is a  
25 manager's responsibility to see to it that appropriate

1 feedback is given to people who work for that manager  
2 because, in the end, if you punt things either from your  
3 office to Mr. Miller's or from your office -- or from the  
4 managers it gets punted somewhere else, then it is very  
5 difficult to get a handle on it.

6 Commissioner Rogers spoke this morning in another  
7 context about stranded responsibility, and that is the kind  
8 of thing one wants to avoid.

9 So I guess the question I have is for the  
10 managers. Is there something in their actual performance  
11 evaluation that relates not just with respect to minorities,  
12 but more broadly to how they, in fact, counsel and deal with  
13 the career development of the people who work for them in  
14 this particular way that it is actually part of their  
15 elements and standards and that which they get evaluated on?

16 MR. BIRD: It is in there in a general way. I  
17 don't know that it is as specific as it might be, but  
18 certainly, there is a whole paragraph in there that relates  
19 to this particular area.

20 In my opinion, those sorts of things, such as  
21 feedback to people who applied in terms of what they might  
22 to do improve their chances, should they apply again, falls  
23 within that paragraph and can be evaluated in the  
24 performance appraisal process.

25 CHAIRMAN JACKSON: Is it?

1 MR. BIRD: Again, I think it is in some cases. I  
2 think in other cases, it is not evaluated as it might be.

3 Again, there is about 500, I think, a little over  
4 500 supervisors now in the Agency, and some do a better job  
5 than others in that regard, in my opinion, and we do go out  
6 and talk to these managers periodically, following up on one  
7 of the comments, and in the town meetings with Vandy, we  
8 talk about these issues with the managers in a broad group.

9 So we are addressing that both individually and  
10 collectively back to that group of managers, but I do think  
11 there continues to be some room for improvement in that  
12 vis-a-vis performance appraisal.

13 MR. MILLER: I would like to add on to that. In  
14 the town meetings, we always tell the managers and  
15 supervisors that they should be prepared to justify their  
16 selection, and knowing that we are in a reduction in the  
17 Agency where you don't have a lot of positions that will  
18 come up to be filled in the first place. So everybody is  
19 going to be looking at you when you make that selection, and  
20 certainly, you should be prepared to justify your selection.  
21 Managers and supervisors both have been told that.

22 Now, I have had managers to call me and say I got  
23 a person coming in to see me, for me to tell them why I  
24 selected the other person, do you have any advice for me,  
25 and that is kind of a tough question. I just tell them

1 remember what we say in the town meetings. You are the  
2 person that has to justify that, and certainly, you are not  
3 going to use this person was a minority, that is why you  
4 selected them, because that is not going to fly, and that  
5 you should have very strong justifications in your mind why  
6 you selected that individual.

7 So this is discussed regularly.

8 MR. BIRD: I should add that we also participate  
9 often with the committees in career counseling, brown bag  
10 sessions at lunch. We have career counselors available to  
11 the Agency, and so there is some generic means if someone  
12 has concerns of trying to address the question of why I have  
13 applied and not selected. I think it is in the paper. A  
14 number of people do take advantage of those options as well.

15 CHAIRMAN JACKSON: It just strikes me that as the  
16 Agency changes, as it further streamlines, we have to be  
17 mindful overall of how we deal with all of the people who  
18 work for the NRC, and I think this aspect of career  
19 counseling, developmental assignments, not just in the  
20 generic committee sense, but in terms of line management  
21 responsibility gets to be more and more important as we go  
22 along.

23 I have one last question, and that is can you tell  
24 me what fraction of the SLS are commissioner assistants  
25 versus not.

1 MR. BIRD: I don't have the number right in front  
2 of me, but if Karnak can come up with it off the top of his  
3 head -- it seems to me there are currently 31 that are --

4 MR. McDERMOTT: There are 30 in the SLS. The  
5 balance has now swung.

6 MR. BIRD: You have to use the microphone. There  
7 is a mike right there.

8 MR. McDERMOTT: Because of the less than totally  
9 plentiful supply of commissioners, there are --

10 CHAIRMAN JACKSON: I know you would like to see  
11 more, so that you don't just have me giving you a hard time,  
12 but it won't let up. It will probably get worse.

13 MR. McDERMOTT: Not at all.

14 It is your Staff and Commissioner Rogers who have  
15 fewer -- we remain in single digits at the Commission level.  
16 So it is approximately one-third, two-thirds.

17 When there were five commissioners, it was the  
18 other way. Two-thirds were Commission level, and one-third  
19 was in the Staff.

20 MR. BIRD: And I think that was from a base of  
21 around 31, if I remember correctly.

22 MR. McDERMOTT: Thirty-three.

23 CHAIRMAN JACKSON: Commissioner Rogers?

24 COMMISSIONER ROGERS: It is always interesting to  
25 hear about our problems and progress. I do think that there

1 is a clear demonstration being made that we are working very  
2 hard on these issues, but they are funny. They are not easy  
3 with the downsizing that has been going on.

4 I wanted to commend the EEO Advisory Committee for  
5 producing a joint consensus. This committee is reaching a  
6 consensus and including that in their joint statement. I  
7 think that is very helpful to us to know that everybody  
8 agrees on these points. It is not just one committee. I  
9 think that including that in the report this year was a real  
10 positive addition.

11 I have a question for either Mr. Miller or Mr.  
12 Bird. What is going to happen with the points that were  
13 made here? I think there were nine individual points that  
14 the joint committees reached in their statement of concerns.  
15 How do you propose to address these nine points?

16 MR. BIRD: Well, you may have noticed in the  
17 beginning of the paper -- and this is a result of past  
18 committees, and again, individuals change as chairs of those  
19 committees, but the six areas that we identified in the  
20 front end of the paper are areas that were developed with  
21 the committees jointly.

22 Those, we feel are the priority focus of the  
23 Agency. Some of the joint committee statements related to  
24 some of those areas. Others were not related. However,  
25 certainly, if the priorities have changed and if there are

1 areas of interest, they should then become the focus of the  
2 front end of the paper be embraced by the Commission and  
3 those should be the primary efforts that we pursue together.

4 To me, that is the mechanism from here, wherein  
5 you try to reconcile the Committee concerns with what the  
6 Agency believes it should focus on, and then the next time  
7 that we would have this meeting or develop this paper, those  
8 would be reflected as the primary areas of concern. That is  
9 my personal view, and I think I have mentioned that to at  
10 least a couple of the committee chairs and to Vandy that  
11 that is how I would see this evolving, and then the  
12 Commission itself would be asked to embrace the same  
13 priority. So we would all be on the same page.

14 MR. BLOCH: Commissioner Rogers, we share your  
15 concern because we worked on joint goals and objectives, and  
16 there may be answers to what we said and what the Staff said  
17 because it is organized in a whole different way. It is  
18 even hard to know if there are answers. So, yes, I think it  
19 would be preferable if they could respond when we develop  
20 the joint paper to the points we have made.

21 COMMISSIONER ROGERS: Well, I think that it might  
22 be difficult to address some of those, but I think when they  
23 aren't specifically addressed, they linger, and I do think  
24 that some thoughts, perhaps more thought might go into a  
25 mechanism for addressing each one of the nine points

1 specifically, even if the mode of address is that we don't  
2 have a solution to this at the moment, but we are working on  
3 it.

4 At any rate, clearly, if the response to these  
5 nine points which have been jointly developed by all the  
6 committees is a rather general response that rolls some of  
7 these together, it is difficult to know whether you are  
8 making progress on some of them in the future, and I know  
9 that can be a little disconcerting.

10 So I would ask if some thought couldn't be given  
11 to trying to do that in a way that the committees can  
12 recognize.

13 MR. TAYLOR: I think we can do that as stated in  
14 the enclosure. We can pick those up and report the  
15 progress. These do present -- there are some points raised  
16 that are thorny issues, but we ought to be able to give you  
17 some progress of what we can do.

18 COMMISSIONER ROGERS: Right, right.

19 If there is a reason why something just simply  
20 can't be done, then it should be stated. This is the reason  
21 why we don't feel we do that at all.

22 MR. TAYLOR: You are going to hear something from  
23 Ms. Norry. I set that up. There are limits to what I as  
24 executive director can do in terms of reaching in individual  
25 selection processes. There are a lot of them that go on in

1 the Agency.

2 CHAIRMAN JACKSON: Yes, right.

3 MR. TAYLOR: That particular group was set up as a  
4 reminder mechanism to the selecting officials where  
5 minorities are present, women and minorities. That is the  
6 process. You will hear a little bit from Ms. Norry about  
7 it.

8 That, indeed, was set up because of concern for  
9 selection of women. We now had discussions of  
10 Asian-Pacific-Americans being on BQLs, and we need to take a  
11 look at that and not make -- how we can factor that in. Our  
12 next points of emphasis will be something we should leave  
13 here, and we will give you feedback on things we think we  
14 can do and see how much we can influence that to the degree  
15 legally permissible.

16 COMMISSIONER ROGERS: Well, it is just that there  
17 is some mechanism for trying to give a specific -- well,  
18 trying to give specific evidence that the question is looked  
19 at and that some attempt to deal with it has been made, and  
20 if there are difficulties in resolving it, well, these are  
21 what the difficulties are, at least to try to get that out.

22 MR. TAYLOR: Perhaps Ms. Norry, when she comes up,  
23 can help us with some additional suggestions or maybe she  
24 will need more time to think about them.

25 COMMISSIONER ROGERS: Because I noticed that point

1 4 in the list was management accountability, and the  
2 suggestion, the elements and standards were evaluating the  
3 performance of supervisors, should include measurable  
4 standards to assess progress and accomplishments related to  
5 achieve the NRC's EEO policies and programs.

6 I know that is a concern, and Mr. Bird has already  
7 said that. Perhaps it might be well, though, to try to make  
8 it a little clearer what the expectations are from the  
9 advisory committees as to what those performance -- what  
10 those measurable standards might be.

11 Now, there is an issue that you might not be able  
12 to agree on, but at least it is an issue that might,  
13 discussing it -- might clarify some matters.

14 So I think that the general notion that  
15 exhortation to do good here is probably not just enough.  
16 Maybe there needs to be something a little bit more.

17 My own thought here was that this issue of whether  
18 people are told how they might improve themselves, not what  
19 was wrong with them, but how they might improve their  
20 chances for selection if they are in a best qualified list.  
21 I don't know.

22 It seems to me that that is a clear management  
23 responsibility that perhaps when a manager is involved with  
24 an issue of that sort that they really have to sit down and  
25 inform the people that were under consideration how they

1 might have improved their chances.

2           You know, I think what we want to try to do is be  
3 as constructive as possible, not defend the decision that  
4 you weren't as good as somebody who was much better, but  
5 rather, these are the things that seem to surface in  
6 reviewing candidates that we thought were important, and  
7 these are some things that you might want to work on and  
8 improve your --

9           MR. TAYLOR: I think we can do so.

10           COMMISSIONER ROGERS: Again, it is to try to take  
11 the most positive tact on helping people to develop. That  
12 is just where we all want to go.

13           I think those are my points I want to say right  
14 now.

15           CHAIRMAN JACKSON: Mr. Taylor?

16           MR. TAYLOR: If there are no further questions,  
17 thank you to the committee members and chairs, I should say  
18 -- committee chairs for participating.

19           We will now ask Dave Morrison and -- excuse me.  
20 Pat Norry will join us, Gerald Cranford, Dave Morrison, and  
21 Stewart Ebnetter.

22           It has been our practice to ask representative  
23 offices to provide some comments and their viewpoints after  
24 having reviewed some of the same materials and issues.

25           First, I will ask Pat Norry as chair of the

1 Executive Review Board Panel review group -- are those all  
2 the right words, Pat?

3 MS. NORRY: That is right.

4 MR. TAYLOR: -- to give us her comments.

5 MS. NORRY: Thank you.

6 Chairman Jackson, Commissioner Rogers, in June of  
7 1992, about three and a half years ago, the executive  
8 director established a review group for the purpose of  
9 providing better insight into the availability of highly  
10 qualified women and minorities in the merit selection  
11 process.

12 The current members of that group are myself, Jim  
13 Blaha from the EDO's office, Jose Calvo from NRR, Jesse  
14 Funches with the Controller, and Margaret Federline from  
15 NMSS.

16 The review group meets as needed. We schedule our  
17 meetings weekly if there is a package to review. We look at  
18 all SES, SLS, and nonbargaining unit Grade 15 positions.

19 Our reviews are conducted after the candidates are  
20 rated by the panel, but before the selection package goes to  
21 the selecting official. The packages we look at contain a  
22 position announcement, the rating factors, the best  
23 qualified list, the ratings for all the candidates, and the  
24 application packages, particularly those application  
25 packages which are women and minorities and which contain

1 also any women and minorities who are not on the best  
2 qualified list, as well as a representative sampling of  
3 those who did make the best qualified list, but we end up  
4 with a package for every single woman and minority who  
5 applied for the position.

6 What we look for is we examine the ratings. Do  
7 the ratings appear fair? Are they consistent, particularly  
8 with respect to those people whom we call our clients, women  
9 and minorities?

10 We look at the rating criteria to satisfy  
11 ourselves that we believe they have been consistently  
12 applied and fairly developed.

13 I would say that in the last couple of years, I  
14 believe the Agency has improved tremendously in that. I  
15 think that Paul has done a lot within Personnel to examine  
16 these before they ever get posted, and so I think the  
17 process of developing criteria has improved tremendously.

18 We then develop an outcome which is formally  
19 recorded in a memorandum from me to the appropriate office  
20 director or regional administrator. What that memorandum  
21 says is one of several things.

22 If we believe that there is a woman and/or a  
23 minority on the best qualified list for whom we feel  
24 comfortable making the statement that this person is highly  
25 qualified, we then make that statement. This has some

1 meaning. We were most anxious that our review not be  
2 considered to be simply a statement that says there is a  
3 woman or minority on the BQL. What we mean is that our  
4 assessment is against the others on th BQL. We believe that  
5 this person or persons is highly qualified.

6 If no such condition exists, then we simply do not  
7 have a comment.

8 I follow up with phone calls, and sometimes there  
9 are matters that get discussed in these phone calls that go  
10 beyond what goes in the memorandum, and we discuss with the  
11 office directors and regional administrator any issues that  
12 the group felt important.

13 In 1995, we looked at five Grade 15 cases, six SES  
14 cases, and 11 SLS merit selection cases. From these merit  
15 selection certificates, 14 Grade 15's, five SES, and three  
16 SLS were filled. One white woman, one  
17 Asian-Pacific-American man, and one African-American man  
18 were selected.

19 There are a couple of things to say here. We  
20 believe that overall the results during the period when we  
21 have been conducting these reviews have shown an increased  
22 awareness on the part of management officials and selecting  
23 officials on the problems that are facing women and  
24 minorities in being selected.

25 We also have focussed our attention on individuals

1 in those cases where we believe that a certain individual  
2 may not have appropriately addressed the rating criteria,  
3 where we feel that they perhaps are applying for positions  
4 for which they need additional experience and perhaps no one  
5 has told them that. This gets to the point that was raised  
6 earlier on feedback.

7 In other words, where we can through a  
8 representative of either Vandy Miller's office or Paul  
9 Bird's office provide that kind of feedback from our  
10 perspective, we try to do that.

11 Sometimes people just don't do a very good job in  
12 their résumé. They don't address the criteria, and that  
13 kind of feedback is always useful.

14 Of course, the numbers show you that the activity  
15 has decreased lately, and that reflects what everyone else  
16 has referred to as having fewer positions available, but we  
17 believe very strongly that the continuing focus on this is  
18 very, very important.

19 In response to your comment, Jim, the group has  
20 some ideas and suggestions of how we might -- how the  
21 process might be improved, and I will put those together and  
22 will have a meeting and talk about it, but we believe that  
23 the continuing focus is very important, and the group  
24 intends to continue.

25 Thank you.

1                   CHAIRMAN JACKSON: Thank you.

2                   MR. TAYLOR: If there are no questions of Ms.  
3                   Norry, I will ask Gerald.

4                   I believe you are first, from the Office of IRM,  
5                   Gerald Cranford.

6                   MR. CRANFORD: Chairman Jackson, Commissioner  
7                   Rogers, I apologize for my voice. It probably is going to  
8                   hurt you more than it hurts me.

9                   I would like to present the EEO perspective of the  
10                  Office of IRM. The Office of IRM has a culturally diverse  
11                  work force. In a staff of 136, 54 percent are women, and  
12                  minorities, 73. Of the minorities, we have 17 black  
13                  females, four Asian-Pacific females, one Native American  
14                  females, one Hispanic female, and 16 minority males.

15                  Following a reorganization in April of 1994, the  
16                  IRM managers and supervisors break down as follows. We have  
17                  24 managers and supervisors of which 14 are female or  
18                  minorities, and of those, there are 10 female managers.  
19                  There are three minority female managers and four minority  
20                  male managers. More than 60 percent of the managers in IRM  
21                  are minority or female.

22                  Females and minorities also figured heavily in  
23                  awards promotions and hires. Thirty-seven women and  
24                  minorities received 44 of the 69 awards in 1995. One  
25                  minority male received the NRC Meritorious Service Award.

1 Women and minorities receive 12 of 18 high HQIs, 67 percent.  
2 Eleven females and minorities were promoted during the  
3 period, and this was 100 percent of the promotions within  
4 the Office of IRM went to minorities or females.

5 The Office of IRM is also effectively supporting  
6 employees with disabilities. A couple of examples, we  
7 provided an NRC employee with Braille-interface devices and  
8 speech synthesizers. We also provide dial-up access  
9 permitting hearing-impaired and physically challenged  
10 members of the public to access NRC information via computer  
11 terminals.

12 We also ensure that all FIP resources, all the  
13 contracts include provisions to meet the needs of employees  
14 with disabilities whenever they are required.

15 From a professional development standpoint,  
16 opportunities offered to all IRM employees, all IRM  
17 employees are encouraged to have an individual development  
18 program or plan, and each IRM employee who wants one has  
19 one.

20 IRM employees are encouraged to maintain current  
21 information technology skills. Last year, I don't believe  
22 any request for training pertaining to information  
23 technology or IRM course material was denied. This external  
24 IT training is provided by private commercial providers. We  
25 also have in-house technical training provided by commercial

1 vendors, sponsored by IRM.

2 We also have tuition for employees in  
3 developmental training, college-type courses, and IRM  
4 employees also attended in excess of 250 training courses  
5 offered at the Professional Development Center.

6 IRM employees are also active in EEO-sponsored  
7 committees and activities. An Hispanic female is the  
8 chairperson of the Hispanic Employment Program Advisory  
9 Committee. An Asian-Pacific female is co-chairperson of the  
10 Asian-Pacific-American Advisory Committee. A minority male  
11 is a member of the Advisory Committee for African-Americans.  
12 IRM is represented in EEO matters with four EEO counselors  
13 on its staff, two males, two females, one of which is a  
14 minority females, and two minority females and one minority  
15 male are involved in EEO advisory committees.

16 That is the perspective from the Office of IRM.  
17 Thank you.

18 MR. TAYLOR: We will ask Dave Morrison to comment  
19 from the Office of Research.

20 MR. MORRISON: Chairman Jackson and Commissioner  
21 Rogers, I am very pleased to address the actions and the  
22 results of these actions that the Office of Nuclear  
23 Regulatory Research has taken to support the equal  
24 employment and career-enhancing opportunities for all of its  
25 employees.

1           While I am the spokesman for the office,  
2 obviously, since I haven't been here a full year, I can't  
3 take full credit, but I will give that to the managers in  
4 the office that made all of this happen.

5           I am a strong supporter of equal employment  
6 opportunities, and I intend to give high priority to  
7 career-enhancing and career enrichment opportunities for the  
8 existing work force within the office.

9           I chose the word "career enrichment" before your  
10 introductory remarks, Chairman Jackson, because I think now  
11 that really fills that gap between the primacy of the  
12 quality of staff and the minimization of the shattering  
13 expectations.

14           We may not be able to enhance a person's career,  
15 but certainly, we ought to be able to enrich the career and  
16 give them a good feeling about coming to work and working at  
17 the NRC, and I think that is probably of equal importance.  
18 Maybe we could talk about that later.

19           Let me summarize just what the office did through  
20 the six activities that are highlighted in the EEO report  
21 starting with the providing of training and developmental  
22 opportunities.

23           The managers and supervisors in the Research  
24 Office do encourage the preparation of individual  
25 development plans to help the employees focus on courses,

1 work assignments or whatever to improve their productivity  
2 and increase job enrichment and future opportunities.

3 Last year, approximately 25 percent of the women  
4 and minorities completed IDPs. Out of that group, the  
5 Afro-Americans had 90 percent participation. Obviously,  
6 this needs to be improved, especially with the  
7 non-Afro-Americans that fit into this group.

8 Research enhances training and development through  
9 rotational assignments. Last year, we had women and  
10 minority employees participating in 23 such assignments  
11 throughout the Agency.

12 We encourage our employees to participate both in  
13 in-house training activities, as well as those outside the  
14 agencies.

15 In fiscal year '95, the percentage of training  
16 funded by the office that was taken by women and minorities  
17 was equal to the percentage of women and minorities on  
18 board.

19 Again, last year, 52 percent of all supervisory  
20 employee and outstanding accomplishment awards were given to  
21 women and minority employees, and this group represents  
22 about 43 percent of our research staff.

23 Looking at the enhancing opportunity for  
24 attracting, developing, and retaining disabled employees, we  
25 fully support that activity, and we have two handicapped

1 persons on our staff.

2           During the last year, one of these employees was  
3 promoted. The other employee, who was responsible for our  
4 mail distribution, that particular assignment was eliminated  
5 when we moved from the Nicholson Lane building over here to  
6 White Flint, but working with the Office of the Secretary,  
7 this employee has been retrained and is productively  
8 employed in the Agency's Public Document Room, and he was  
9 recently promoted. So I think that was a good  
10 accomplishment at being able to transition from one job to  
11 another of a handicapped and disabled employee.

12           Expanding the women and minorities eligible for  
13 supervisory, management, and executive SLS positions,  
14 research has been moderately successful in this area, with  
15 one black male participating in the SES candidate  
16 development program and one minority male and three white  
17 females participating in the supervisory development  
18 program.

19           Women and minorities now comprise about 25 percent  
20 of our supervisory, management, executive, and SLS group  
21 within the office.

22           With regard to recruiting of women and minorities,  
23 our external recruiting during the past year had been quite  
24 limited. What we have tried to do is to supplement the  
25 limited external recruiting activities by making better use

1 of the NRC graduate fellow program.

2 We have hired some exceptional graduate students  
3 through this. One of the five graduate fellows in research  
4 -- of the five graduate fellow in research, two are minority  
5 males and two are white females. Hopefully, we will be able  
6 to find opportunities for these people on continuing  
7 employment.

8 With regard to improving communications by EEO and  
9 affirmative action, our managers have participated in the  
10 town meetings. We currently have one employee on the  
11 Affirmative Action Advisory Committee, five on the  
12 Asian-Pacific-American Advisory Committee, and two on the  
13 Committee on Age Discrimination.

14 We have three of our employees that are mentors in  
15 the NRC Mentoring Program, and two of our employees serve as  
16 EEO counselors.

17 Finally, with regard to enhancing opportunities  
18 for recruiting Hispanic employees, we do plan to participate  
19 in the minority job fairs and recruitment activities with  
20 colleges that have a substantial minority population to  
21 increase at least the scope of our horizon with regard to  
22 bringing more Hispanic employees into the work force.

23 I think we had a good year in 1995, and I look  
24 forward to continuing these trends into '96.

25 CHAIRMAN JACKSON: Thank you.

1           MR. TAYLOR: Stewart Ebnetter, Regional  
2 Administrator, Region II.

3           MR. EBNETER: Well, we submitted a very large  
4 amount of data in that package. So I am going to tell you  
5 what we are not doing.

6           We are doing all right, but we need to do better.  
7 That is clear. We need to keep a focus on EEO. We have  
8 reorganized. We have a lot of new managers, and we have had  
9 some rotations in and out. So we have to reinforce the  
10 things that we have done well and improve in the areas that  
11 we haven't done so well.

12           If you looked at the diversity of our staff in  
13 Region II by these categories, we have done quite well in  
14 Hispanic area in all levels of position descriptions, from  
15 bottom to top.

16           Mr. Reyes is my deputy. In all other categories,  
17 we have done something, but in most of the other areas, we  
18 are severely lacking, particularly in the two key areas that  
19 we select future managers from, and that is the senior  
20 resident inspector and the line managers.

21           We in Region II need to focus on these areas and  
22 make sure that we are giving it the appropriate attention.  
23 So those two areas will get significant attention next year.

24           We also, I think, need to look at the things that  
25 have worked for us. Probably, one of the most productive

1 programs we have had at least in Region II is the intern  
2 program that was established by NRR sometime ago. That  
3 program has produced for us three African-Americans on site,  
4 one Hispanic on site, and several females, white females.  
5 So that program was sort of limited. Now it is still going  
6 on, but that was a very good program for us to get core  
7 people into positions that we can work from.

8 So we have a good base to work from if you looked  
9 at our statistics here. We just now have to be proactive  
10 and make it work better.

11 That is all I have to say.

12 CHAIRMAN JACKSON: Thank you.

13 MR. TAYLOR: That concludes our presentation.

14 CHAIRMAN JACKSON: Commissioner Rogers, anything?

15 COMMISSIONER ROGERS: Well, I thought it was very  
16 interesting to hear what is happening in the individual  
17 offices and the region.

18 One area that I don't think I got very much of a  
19 feeling about was the point 4 of our affirmative action  
20 objectives, enhancing opportunities for attracting,  
21 developing, and retaining disabled employees.

22 It seemed to me that that is one that we are not  
23 making very much progress in. The report said that that is  
24 a number that fluctuates with a net loss of 11 employees in  
25 fiscal year 1995, but a net gain since 1991 of four. I

1 wonder if you could comment a little bit about that  
2 situation.

3 There is a statement we received 15 applications  
4 from various sources, contacted, but no selections were made  
5 from this group of applications this fiscal year.

6 MR. BIRD: Yes, I can comment on that.

7 The disability identification, of course, is  
8 independently done by individuals voluntarily.

9 COMMISSIONER ROGERS: Yes.

10 MR. BIRD: Two years ago -- three years ago, I  
11 believe it was, we went back out to the entire staff and  
12 asked them to reconfirm their disability or lack of  
13 disabilities, and the result was that we had an  
14 extraordinary gain in those that had some form of  
15 disability.

16 CHAIRMAN JACKSON: Hopefully not developed from  
17 being right.

18 [Laughter.]

19 MR. BIRD: I think if we did that again that those  
20 numbers, wherein we have lost 11 people who were in that  
21 grouping from last year to this year -- I think that might  
22 improve if we went back out to do that, and my staff has  
23 talked about the prospect of doing that.

24 There are two types of disabilities, as you know,  
25 in the paper. Those that are specifically targeted, again,

1 are the more severe disabled. There is a lot of recruitment  
2 aimed at getting to that particular group, outside  
3 recruiting with Gallaudet and various other sources of those  
4 employees. Various veterans programs do have potential  
5 candidates for us, and we will continue to do that, but I  
6 think what you are seeing in the data is a reflection of how  
7 often we ask people to define this for us, and then,  
8 therefore, we include it in the database, and it does change  
9 over time, even with this relatively static population  
10 because some of those disabilities occur within the work  
11 force from year to year.

12 In some cases, I think at this point in time, it  
13 might be well to go back out and reassess that and see if it  
14 does change that the other way, and again, we have talked  
15 about doing that.

16 COMMISSIONER ROGERS: Well, it is an area, I  
17 think, that while it isn't a large piece of our  
18 opportunities, I do think that it is something we will  
19 continue to think about and make an effort to make sure that  
20 persons with disabilities that could contribute to NRC have  
21 an opportunity to do that.

22 MR. BIRD: Yes.

23 I might add, and I think Gerald alluded to this,  
24 but there is a lot of effort in the Agency with admin as  
25 well for accommodation. I think you have noticed some of

1 the ramps and walkways and automatic opening doors.

2 COMMISSIONER ROGERS: Yes.

3 MR. BIRD: Again, we work through the committees,  
4 to some extent, to try to identify these barriers. There  
5 has been some progress there, but we will continue to  
6 recruit and try to enhance that representation.

7 COMMISSIONER ROGERS: That is all I have.

8 CHAIRMAN JACKSON: Thank you.

9 If there are no further comments --

10 MR. TAYLOR: No further comments.

11 CHAIRMAN JACKSON: -- I would like to bring this  
12 briefing to a close by thanking all of the participants for  
13 their views, their comments, and their suggestions.

14 This was an excellent and comprehensive briefing  
15 on a complex and sensitive, but important subject, and one  
16 that is of utmost importance to -- my notes say many of our  
17 employees, but I would say all of our employees.

18 As I have said in the past, leadership is  
19 important. Mr. Taylor knows that I have commended him in  
20 other public forums for the leadership that he has  
21 demonstrated.

22 I was pleased to hear from those of you from the  
23 various offices. The more this briefing has progressed, the  
24 more convinced I have become that in this area, our efforts  
25 might be more focused and efficient, and in the long term,

1 more productive if they were designed to respond more  
2 directly to our long-range strategic planning process, and  
3 in particular, a long-term projection of the skills mix that  
4 we feel we will need to operate in the years ahead.

5 One of the products that I hope will emerge from  
6 the ongoing strategic assessment and re-baselining effort  
7 that I initiated last fall is a comprehensive strategic  
8 planning process that encompasses the technical and the  
9 human resources in one document and projects an optimum  
10 personnel skills mix that, in turn, will serve to guide and  
11 focus our career development and our EEO activities.

12 In the meantime, all NRC supervisors and managers  
13 -- and we have heard from some of them today -- will need to  
14 exercise the leadership necessary to ensure that we  
15 effectively use all of the talent available to us in  
16 carrying out the NRC mission.

17 In closing, I would like to make a special comment  
18 to Mr. Vandy Miller since you dropped this bombshell on us  
19 at the beginning.

20 I have not had the opportunity to know you for  
21 long, but from what I have seen, you have been very  
22 focussed. You take what you do very seriously. You have  
23 had a difficult job in covering a wide expanse of concerns  
24 and trying to bring them together, and from what I have seen  
25 in other places, I know it is not always a comfortable place

1 to sit because you were the person in the position of  
2 exposing on the one hand where there may be weaknesses  
3 exhorting the Agency to do better while, in fact, being part  
4 of management. There can be a tendency for that person to  
5 be the pinch point, and a lot of things get lobbed back over  
6 the fence at you, and from what I have seen, you have done  
7 quite a commendable job.

8 I am sure the Agency will be sorry to lose you,  
9 but I wish you well in whatever you do going forward.

10 MR. MILLER: Thank you, Chairman Jackson.

11 MR. TAYLOR: Thank you.

12 [Whereupon, at 3:40 p.m., the meeting was  
13 concluded.]

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CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: BRIEFING ON EQUAL EMPLOYMENT  
OPPORTUNITY - PUBLIC MEETING

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Thursday, December 14, 1995

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company

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