

U.S. NUCLEAR REGULATORY COMMISSION
REPORT ON
THE AGENCY'S POLICY FOR
PREVENTING WORKPLACE DISCRIMINATION

MAY, 1994

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COMPLIANCE WITH REQUIREMENTS OF PUBLIC LAW 103-123
(DISCRIMINATION-FREE WORKPLACES)
ACTION REPORT

INTRODUCTION

The following report defines the steps taken by the U.S. Nuclear Regulatory Commission to comply with the requirements of Section 629 of the Treasury, Postal Service, and General Government Appropriations Act for Fiscal Year 1994 (Public Law 103-123).

AGENCY POLICY STATEMENTS

Attached are copies of three all employee announcements articulating this agency's policy designed to ensure that all agency workplaces are free from discrimination and sexual harassment and are not in violation of applicable Federal statutes on EEO. As will be noted, the agency has issued a separate announcement regarding sexual harassment prevention. The Agency's policy prohibiting discrimination is also reflected in Management Directive 10.161, the Agency's Five-Year Plan, and the Collective Bargaining Agreement between the Agency and its employee union.

In addition to the policy statements, the following methods are employed to educate all employees on issues of discrimination, including workplace sexual harassment:

SEMIANNUAL EEO COMMISSION BRIEFINGS

In accordance with the provisions of 209c. of the Energy Reorganization Act of 1974, as amended, the NRC Executive Director for Operations reports to the Commission at semiannual public meetings on the problems, progress, and status of the Commission equal employment opportunity efforts. The Director of the Office of Small and Disadvantaged Business Utilization and Civil Rights and the Director of the Office of Personnel participate in these briefings, as well as the President of the NRC Chapter of the National Treasury Employees Union.

AGENCY EEO ADVISORY COMMITTEES

At the request of agency employees, the NRC management has approved the creation of the following employee constituent group committees:

Affirmation Action Advisory Committee
NRC Chapter of Blacks in Government
Committee on Age Discrimination
Hispanic Employment Program Advisory Committee
Federal Women's Program Advisory Committee
Labor/Management EEO Advisory Committee
Asian Pacific American Advisory Committee

The purpose of these committees is to provide recommendations to the Executive Director for Operations (EDO) and the Director of the Office of Small and Disadvantaged Business Utilization and Civil Rights (SBCR) on methods to improve the agency EEO program. These committees meet with NRC management monthly to discuss issues of generic interest.

These committees further provide input to the Commission briefing document prepared by the staff, and participate in discussions at the briefing. The briefings, which are held semiannually, are well-attended and are open to all employees and members of the public. See enclosed management announcement supporting issues raised by the committees.

EEO RELATED TRAINING

A primary vehicle for heightening employee awareness to issues of discrimination is the EEO-related training courses we are providing to supervisors and employees throughout the Agency. In addition to a two-day course required for all new supervisors, EEO for Managers and Supervisors, and half-day workshops open to all NRC employees, Equal Employment Opportunity at NRC, Cultural Diversity at NRC, and Sexual Harassment Prevention, -- we also provide a course Age in the NRC Workforce.

The Agency has been offering training on Sexual Harassment Prevention since 1983. This workshop, recently revised and currently being presented by the Office of Personnel Management, the NRC Office of the General Counsel, and the NRC Office of Personnel, provides statutory information about sexual harassment; management's roles and responsibilities in preventing and dealing with inappropriate behavior; and the rights, responsibilities, and remedies for victims of sexual harassment.

We have also communicated the Agency's sexual harassment prevention policy to all employees through publication and distribution of an Agency brochure, Preventing Sexual Harassment. In this document employees are given concrete advice about identifying the offensive behavior and dealing with it. The Agency's responsibilities, the supervisor's responsibilities, and the employee's responsibilities are described, and sources of information and assistance are provided.

EEO COUNSELORS

The Agency encourages employees to raise concerns about discrimination so that these may be appropriately resolved. The NRC has appointed thirty EEO counselors (eighteen in Headquarters and at least two in each of the four Regional offices) who are available to employees and applicants for employment to assist in informal resolution of EEO concerns. The names, pictures, and telephone numbers of the counselors, as well as a nondiscrimination policy statement, are prominently displayed on posters distributed throughout agency-occupied facilities.

OFFICE INTERACTION

Meetings are periodically held between the Director, Office of Small and Disadvantaged Business Utilization and Civil Rights, the Director, Office of Personnel, their principal staffs, and the chairpersons of the various constituency group committees. These facilitate open communications between the Agency and its employees on EEO issues.

PROCESSING FORMAL COMPLAINTS

The Director, Office of Small and Disadvantaged Business Utilization and Civil Rights, has the overall responsibility for enforcing statutory nondiscrimination provisions. The Director accepts formal complaints, conducts investigations, and recommends final disposition of complaints by the agency official responsible for issuing final decisions.

Procedures for processing complaints of EEO violation are based on regulations issued by the U.S. Equal Employment Opportunity Commission found at 29 CFR Part 1614.



UNITED STATES
NUCLEAR REGULATORY COMMISSION

ANNOUNCEMENT NO. 30

DATE: March 25, 1994

TO: All NRC Employees

SUBJECT: MANAGEMENT SUPPORT OF EEO ADVISORY COMMITTEE
ACTIVITIES AND EMPLOYEE TRAINING

During the semi-annual EEO Commission Briefing, which was held on December 7, 1993, several EEO advisory committees reported on concerns from their constituency of an apparent lack of management support for employee participation in the EEO advisory committee activities. The committees also reported a lack of support, in some instances, of training opportunities for the NRC support staff. I encourage positive management support for employee participation on EEO advisory committees and for training that will enhance employees' current duties or duties that are reasonably foreseeable in the future.

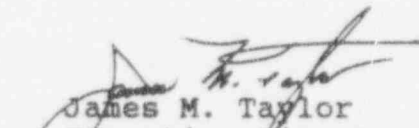
The EEO advisory committees serve an extremely important role in helping management identify problem areas among our diverse workforce. Their greatest advantage is that participation in the committees is strictly voluntary. Therefore, the participants are usually very motivated individuals who have a true sense of service to the agency. In most cases these individuals contribute their personal time to prepare for meetings and to develop programs. The EEO advisory committees help to formulate recommendations for methods whereby management can improve the EEO program. They also assist in developing annual special emphasis awareness programs for the different protected groups. These programs serve to educate and sensitize the overall NRC staff about the contributions of all ethnic groups to the rich culture and technological progress of our great country.

Although preparation for these activities is done during monthly meetings, occasionally more time is needed for the analysis of statistical data and performance of administrative duties. During preparation for the semi-annual EEO briefings or special emphasis events, more time might be required for committee responsibilities. A rule-of-thumb is two hours for monthly committee meetings for committee members. Committee Chairpersons or Subcommittee members may require four to eight hours per month. Management is encouraged to be supportive of these EEO advisory committee efforts. EEO advisory committee

members will be required, however, to keep their management as informed as possible about upcoming activities so that the day-to-day job tasks do not suffer.

With regard to training for the support staff, I strongly support training for all NRC staff members that will enhance their performance of current duties or duties that are reasonably foreseeable in the future. I particularly support training and education which may lead to an academic degree in skills that are important to NRC's mission and in which NRC has or anticipates a shortage of qualified personnel. I continue to encourage employees to develop IDPs which include structured career and job enhancing training. However, specific training courses do not have to be enumerated in the IDP for them to be approved by management. The Office of Personnel will work with staff and management in an endeavor to budget for reasonable career enhancement training opportunities for the NRC staff.

Further, a task force made up of senior managers from SBCR, OP and OGC will be visiting Office Directors and Regional Administrators in the near future. This task force will discuss EEO and Affirmative Action issues, and I have asked them to follow up on these two matters.


James M. Taylor
Executive Director
for Operations

The Honorable Robert C. Byrd, Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

May 25, 1994

Dear Mr. Chairman:

By letter of February 1, 1994, from the Director, Office of Management and Budget (OMB), federal departments and agencies were informed of a new government-wide appropriations provision and steps necessary to comply with the requirement.

Specifically, OMB referred to Section 629 of the Treasury, Postal Service, and General Government Appropriations Act for Fiscal Year 1994 (Public Law 103-123) that provides that no department or agency shall obligate or expend funds for Fiscal Year 1994 unless there is in place by July 1, 1994, a written policy designed to ensure that all of the agency's workplaces are free from discrimination and sexual harassment, and not in violation of certain non-discrimination statutes.

Agencies were further advised that the accompanying Senate report 103-106 to H.R. 2403 directs each agency to issue a report that certifies with particularity the agency's policy for preventing workplace discrimination and sexual harassment, and enforcing these statutory prohibitions. The Senate report further required that agencies file the report by July 1, 1994 with the Committees on Appropriations of the House and the Senate, the Senate Committee on Governmental Affairs, and the House Committee on Post Office and Civil Service.

In accordance with these requirements, enclosed is the report of the U.S. Nuclear Regulatory Commission and its published policy statements.

A copy of this material has been forwarded to the other Congressional committees cited above and to the Office of Management and Budget.

If there are any questions regarding this matter, please let me know.

Sincerely,
Original signed by/
Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
As stated

cc w/enclosure:
Senator Mark O. Hatfield

DISTRIBUTION w/encls:
SBCR SF (D-F Wkpl) P. Bird
SBCR RF J. Taylor
E. Tucker D. Rathbun
V. Miller GT 9753
D. Dambly R. Scroggins

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NAME	EETucker	VLMiller	DDambly	RScroggins	PBird	JMTaylor	DRathbun
DATE	5/17/94	5/17/94	5/23/94	5/18/94	5/20/94	5/22/94	5/25/94

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May 25, 1994

The Honorable William L. Clay, Chairman
Committee on Post Office and Civil Service
United States House of Representatives
Washington, D.C. 20515

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Rep. John T. Myers

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The Honorable John Glenn, Chairman
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

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Senator William V. Roth, Jr.

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May 25, 1994

The Honorable David Obey, Chairman
Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515

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cc w/enclosure:
Rep. Joseph M. McDade

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 1, 1994

M-94-12

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Leon E. Panetta
Director

SUBJECT: Discrimination-Free Workplaces

The purpose of this memorandum is to ensure that departments and agencies are aware of a new government-wide appropriations provision and take the steps necessary to comply with the requirement.

Section 629 of the Treasury, Postal Service, and General Government Appropriations Act for Fiscal Year 1994 (Public Law 103-123) provides that no department or agency shall obligate or expend funds for fiscal year 1994 unless there is in place by July 1, 1994, a written policy designed to ensure that all of the agency's workplaces are free from discrimination and sexual harassment and not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

The Senate report (No. 103-106 accompanying H.R. 2403) further directs each department and agency within the Executive Branch and the U.S. Postal Service to issue a report, "that certifies with particularity the agency's policy for preventing workplace discrimination, educating all of its employees to issues of discrimination, including workplace sexual harassment, and enforcing these statutory prohibitions." The report is to be filed with the Committees on Appropriations of the House and the Senate, the Senate Committee on Governmental Affairs, and the House Committee on Post Office and Civil Service by July 1, 1994.

Each agency and department head shall ensure that his or her agency takes appropriate steps to comply with the requirements for (1) establishment of a written policy, and (2) issuance of the required report. Both requirements must be met by July 1, 1994. In addition, please send to OMB for review your proposed report and a statement indicating how the agency intends to carry out the written policy required by Section 629.

CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Letter to Sen Byrd
2. TYPE OF DOCUMENT Correspondence Hearings (Qs/As)
3. DOCUMENT CONTROL Sensitive (NRC Only) Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)
- _____ Congressional Committee
_____ Subcommittee
5. SUBJECT CODES
- (a) _____
(b) _____
(c) _____
6. SOURCE OF DOCUMENTS
- (a) SF20 (document name _____)
- (b) Scan (c) _____ Attachments
- (d) _____ Rekey (e) _____ Other _____
7. SYSTEM LOG DATES
- (a) 1/7/94 Date OCA sent document to CCS
- (b) _____ Date CCS receives document
- (c) _____ Date returned to OCA for additional information
- (d) _____ Date resubmitted by OCA to CCS
- (e) _____ Date entered into CCS by _____
- (f) _____ Date OCA notified that document is in CCS
8. COMMENTS

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