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NUCLEAR REGULATORY COMMISSION

Title: **BRIEFING ON EEO PROGRAM - PUBLIC MEETING**

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 BRIEFING ON EEO PROGRAM

5 ***

6 PUBLIC MEETING

7 ***

8 Nuclear Regulatory Commission
9 Commission Hearing Room
10 11555 Rockville Pike
11 Rockville, Maryland
12

13 Thursday, February 20, 1997
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15 The Commission met in open session, pursuant to
16 notice, at 2:06 p.m., the Honorable SHIRLEY A. JACKSON,
17 Chairman of the Commission, presiding.

18 COMMISSIONERS PRESENT:

19 SHIRLEY A. JACKSON, Chairman of the Commission
20 KENNETH C. ROGERS, Member of the Commission
21 GRETA J. DICUS, Member of the Commission
22 EDWARD McGAFFIGAN, JR., Member of the Commission
23 NILS J. DIAZ, Member of the Commission
24
25

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1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

2 JOHN C. HOYLE, Secretary of the Commission

3 KAREN D. CYR, General Counsel

4 ROXANNE SUMMERS, FWPAC & Managing Diversity

5 Subcommittee

6 LAWRENCE VICK, Performance Monitoring Subcommittee

7 IRENE LITTLE, SBCR

8 PATRICIA NORRY, DEDO

9 PAUL BIRD, OP

10 SUBINOY MAZUMDAR, Selection Subcommittee

11 SUDHAMAY BASU, APAAC

12 REGINALD MITCHELL, ACAA

13 JOSE IBARRA, HEPAC

14 JACOB PHILIP, AAAC

15 MICHAEL WEBER, JLMEEOC

16 SHARON CONNELLY, CAD

17 PETER BLOCH, Managing Diversity Subcommittee

18 JAMES THOMAS, NTEU

P R O C E E D I N G S

[2:06 p.m.]

CHAIRMAN JACKSON: Well, good afternoon, ladies and gentlemen. Today, the Commission is meeting to discuss the status of NRC's Equal Employment Opportunity Program for fiscal year 1996.

The Energy Reorganization Act of 1974, as amended, requires the executive director for Operations to report to the Commission at semiannual public meetings on the status of any problems and progress associated with EEO efforts.

The last EEO briefing was held on July 31, 1996. Today's briefing will include highlights of the NRC's EEO program, a report on the progress of the Performance Monitoring, Selection, and Managing Diversity Subcommittees of the EEO advisory committees, and a discussion of various EEO issues.

I welcome the presenters and all employees in the audience. Your attendance demonstrates your interest in and commitment to the NRC EEO program. In fact, I must say, this is probably the best-attended Commission meeting from an employee point of view. So we are glad you are here.

Before the Staff begins its presentation, I would like to share the following thoughts. This is our first EEO briefing with our new deputy executive director for Management Services and our new director of the Office of

1 Small Business and Civil Rights.

2 I understand that along with the Office of
3 Personnel, they are continuing the spirit of cooperative
4 dialogue with the advisory committees and subcommittees in
5 developing strategies for addressing EEO concerns at the
6 NRC.

7 As we face this period of government-wide
8 streamlining, performance orientation, and budget
9 constraints, we are then challenges to enhance
10 opportunities, nonetheless, for the development and
11 advancement of employees at all grade levels, regardless of
12 race, gender, national origin, age or disability.

13 As we together step up to that challenge, I
14 commend the Staff, the EEO advisory committees, and their
15 subcommittees for their dedication, and I look forward to
16 hearing about the improvements the NRC is making in the EEO
17 area so that all employees can demonstrate their unique
18 skills and talents in the fulfillment of the agency's
19 mission, and where we continue to have challenges, how we
20 are stepping up to meet those challenges.

21 If my fellow Commissioners have no comments at
22 this point, Ms. Norry, please proceed.

23 MS. NORRY: Thank you, Chairman Jackson,
24 Commissioner Rogers, Commissioner Diaz, Commissioner
25 McGaffigan.

1 Joining me for today's briefing on the status of
2 the agency EEO program are Paul Bird, director of the Office
3 of Personnel, and Irene Little, director of the Office of
4 Small Business and Civil Rights.

5 Ms. Little will now introduce to you the
6 representatives of the EEO advisory committees who are with
7 us today.

8 MS. LITTLE: Thank you, Ms. Norry.

9 To my far left, we have Roxanne Summers, chair of
10 the Federal Women's Program Advisory Committee and
11 representing the Diversity Subcommittee.

12 To my immediate left is Mr. Lawrence Vick,
13 representing the Performance Monitoring Subcommittee.

14 To Mr. Bird's right is Mr. Subinoy Mazumdar,
15 representing the Selection Subcommittee.

16 These three representatives will be making
17 statements later in the briefing.

18 I will also introduce the committee reps that are
19 in the front row, and I would ask that each of you would
20 please stand as your name is called.

21 From my left, Mr. Sudhamay Basu, chairperson of
22 the Asian-Pacific-American Advisory Subcommittee; Mr.
23 Reginald Mitchell, chairperson of the Advisory Committee for
24 African-Americans; Mr. Jose Ibarra, chair of the Hispanic
25 Employment Program Advisory Committee; Mr. Jacob Philip,

1 chair, Affirmative Action Advisory Committee; Mr. Michael
2 Weber, chair, Joint Labor-Management EEO Committee; Ms.
3 Sharon Connelly, chair, Committee on Age Discrimination; and
4 Mr. Peter Block, representing the Subcommittee on Diversity.
5 These committee representatives are available to answer any
6 questions you have regarding their initiatives.

7 We also have in attendance today Mr. James Thomas,
8 president of the National Treasury Employees Union.

9 This concludes my introduction. Thank you, Ms.
10 Norry.

11 MS. NORRY: Thank you, Irene.

12 We are here to present the semiannual report on
13 the status of equal employment opportunity in the agency.
14 Over the next several months, we plan to conduct a review of
15 the agency's EEO program and, where appropriate, form new
16 strategies for developing opportunities for our employees.

17 Following the last Commission briefing on the EEO
18 program, the Staff was asked to keep the Commission informed
19 about seven specific items. I would like now to take a
20 minute to address the status of each of those specific
21 items.

22 The first two were closely related: to establish
23 a more structured procedure to provide feedback to
24 nonselected candidates in personnel selections, and provide
25 personnel specialists and supervisors with training that

1 will assist them in counseling nonselected candidates on
2 broadening their skills and knowledge so that they may have
3 their potential for future positions enhanced.

4 In response to this request, the Office of
5 Personnel has designed a two-day training course for
6 supervisors and personnel specialists entitled Effective
7 Management Participation in Merit Staffing. This course
8 provides a more proactive structured procedure for providing
9 feedback to nonselectees. When this course has been
10 completed, participants should have clear understanding of
11 their role and responsibilities in providing constructive
12 feedback to job applicants regarding the ratings they
13 received and how one might improve in those ratings.

14 We have given the first pilot session of this
15 course in January and got some good feedback which caused
16 the course to be modified. It has been offered again in
17 February, and March, it will be given again. Then,
18 thereafter, it will be on a monthly schedule.

19 After the March session, we will be ready to
20 formalize this feedback process, and the day this is
21 basically going to work is that Personnel will continue the
22 staged notifications to nonselected applicants that they do
23 now, and at the same time, they are going to notify
24 applicants of the availability of information regarding
25 their scores, the selectees' scores, and most importantly in

1 respect to this initiative, the opportunity for discussion
2 with the personnel specialist, with the rating panel chair
3 and/or with the selecting official. This discussion will
4 cover specific rating factors, rating criteria, the
5 applicant's application package, and constructive feedback
6 on how to develop one's self into being more competitive for
7 the kinds of the positions that a person may be interested
8 in.

9 We are very hopeful that this will address the
10 concern about additional feedback being needed for people
11 who are not successful candidates.

12 The third item asks that the Office of Small
13 Business and Civil Rights should formally participate on the
14 Executive Resources Board Review Group. That has been done.
15 The director of SBCR is now a member of that group.

16 The next item requested that the Staff adopt
17 additional measures to enhance the effectiveness of the
18 Office of Small Business and Civil Rights, and as we
19 reported in our memorandum of October 2, 1996, we committed
20 that this would be a first item of discussion with the new
21 director of SBCR. That has been done, and Ms. Little will
22 have a statement on her thoughts on that point.

23 The next item was to provide an opportunity for
24 advisory committees to work with the Office of Personnel and
25 with Small Business and Civil Rights to ensure that any new

1 database systems would have pertinent statistical
2 information for their future tracking needs, and what we
3 intend to do is, as part of our development of our human
4 resources information system, we are pursuing the
5 acquisition of some commercial off-the-shelf software that
6 will complement our payroll personnel system.

7 Since the EEO advisory committees are major
8 stakeholders in this information system, we will ask them to
9 select a representative for the project team that will be
10 identifying and procuring the software.

11 Item 6 asks that we provide information on the
12 number of women, minority, and total employees currently
13 certified as SES candidates or in the feeder groups for SES
14 or SLS positions.

15 There are 17 NRC employees currently certified as
16 SES candidates. This includes 12 graduates of the most
17 recent candidate development program, four graduates of
18 earlier candidate programs, and one from the Department of
19 Energy's candidate program. Among these 17 are two Asian
20 males, two white females, one African-American female, and
21 one African-American male.

22 For the feeder groups, we now have a total of
23 2,007 employees in the Grade 13 to 15 feeder groups.
24 Ninety-seven of these are minority women, 24
25 Asian-Pacific-Americans, 18 Hispanics, 65 African-Americans.

1 We failed to mention in the text of this reply that there
2 are 76 African-American men, 137 Asian men, 22 Hispanic men,
3 and 3 Native American men.

4 The final item requests that we provide
5 information on methods that could be used to enhance
6 advancement opportunities for minority women who wish to
7 move into SES/SLS programs. Of course, the avenues that are
8 available to all employees include obtaining the relevant
9 education and training and being given the opportunity to
10 participate in a wide variety of rotational and other
11 opportunities that will put them in a position to be
12 recognized and to be noticed.

13 We are pursuing some specific methods to help in
14 this initiative, including Office of Small Business and
15 Civil Rights interviewing all Grade 14/15 minority women, to
16 discuss their career goals, to review the current status of
17 the IDP, and to develop an action plan, to help them to
18 develop an action plan, and that office also, along with
19 Personnel, will be canvassing offices in regions for
20 rotational opportunities that might be available.

21 We will be actively recruiting minority women for
22 FEI and other development programs, and we will be promoting
23 the consideration of minority women for so-called
24 high-exposure assignments, so that they will have an
25 opportunity to exercise their abilities in ways that might

1 be observed.

2 Of course, managers and supervisors should, as
3 appropriate, encourage employees to be proactive in seeking
4 out training opportunities and rotational assignments, and
5 we will continue to publicize these opportunities.

6 This concludes our response to the seven SRM
7 actions.

8 Finally, I would like to say that we are
9 encouraged by the spirit of cooperation among the EEO
10 advisory committees, the Office of Personnel, and the Office
11 of Small Business and Civil Rights. We will continue our
12 efforts to foster teamwork and to analyze and cooperatively
13 resolve all the EEO areas of concern.

14 Our accomplishments so far may be modest, but they
15 reflect, I believe, a continuing improvement and this new
16 spirit of cooperation that we referred to.

17 Now, at this time, I would like to ask Irene
18 Little to provide some additional comments regarding the
19 program. Irene?

20 MS. LITTLE: Thank you, Ms. Norry.

21 Chairman Jackson, Commissioner Rogers,
22 Commissioner Diaz, Commissioner McGaffigan, I am halfway
23 through my second month as director of the Office of Small
24 Business and Civil Rights, and I am very pleased to
25 participate in my first briefing on the status of the EEO

1 program. Of course, I didn't plan it this way, but it is
2 nice to be here to participate.

3 I have spent a good part of my time so far meeting
4 with several parties, representatives of all of the advisory
5 committees, with the chairperson of the Joint
6 Labor-Management EEO Committee. My goal was to meet with
7 each office director before this briefing. I fell short of
8 that by two office directors, but my plan is to continue
9 that, and to further build on the cooperative spirit and
10 efforts that the advisory committees, the Office of
11 Personnel, and the Small Business and Civil Rights Office
12 have started so far.

13 Following the EEO Commission briefing in July
14 1996, the Staff was asked to keep the Commission informed
15 about several aspects of the EEO program, including ways to
16 enhance the effectiveness of the Office of Small Business
17 and Civil Rights.

18 My assessment of the program, though not complete,
19 is well underway, and I have identified some initial focus
20 areas for my early activities. I plan to continue this
21 cooperative effort that has already been started by the
22 advisory committees, in conjunction with my office and the
23 Office of Personnel.

24 I will also continue to work with the Office of
25 Personnel and the advisory committees to improve and

1 simplify the presentation of data at the EEO briefings and
2 data that is used for analysis of issues by the advisor
3 committees and the subcommittees.

4 I plan to work with the committees and NTEU, as
5 appropriate, to support an informal forum to share
6 information with employees about programs designed to
7 facilitate equal opportunity within the NRC.

8 The paper for this briefing references six areas
9 of emphasis that the Staff has focused on for the past
10 several years. By our own assessment, we have made varying
11 degrees of process in these areas. One area of special
12 interest to me is improving communication, heightening
13 awareness, and evaluating program progress.

14 I believe that the critical challenge in this area
15 is always before us. Ongoing effective communication at all
16 levels of the organization is critical to the success of any
17 program. The EEO program in the NRC is no exception. We
18 must continuously work together to improve communications.

19 The various committees are making contributions to
20 this effort in several ways. The Joint Labor-Management EEO
21 Committee is teaming up with the Office of Personnel to
22 heighten awareness of sexual harassment prevention, a
23 specific effort to highlight the importance of maintaining
24 our workplace free of sexual harassment.

25 The Joint Labor-Management EEO Committee is also

1 seeking out ways to encourage employees to take advantage of
2 the extensive suite of courses offered by the agency to
3 enhance communication skills. I would like to extend this
4 effort to all supervisors as well.

5 The initiative by the six advisory committees to
6 team up and focus their efforts on three broad issues of
7 general concern to many employees is another effort to
8 communicate effectively.

9 A third example is the initiative by the Office of
10 Personnel to assist supervisors and panel members in
11 providing responsive feedback to employees who compete under
12 the merit selection process, but are not selected for a
13 specific position.

14 My plan is to work with these ongoing initiatives,
15 to provide leadership in modifying our current focus areas,
16 and formulate new areas, as appropriate, to work with
17 supervisors and managers to make sure that our recruitment
18 and promotion policies and practices are not creating
19 barriers to equal employment opportunity, and to ensure that
20 management approaches to provide a supportive working
21 environment to facilitate a level playing field for all NRC
22 employees and applicants, and finally, to monitor and
23 evaluate program results.

24 I look forward to a positive and productive
25 experience in the coming years. This is the end of my

1 presentation.

2 The three subcommittee reps will now each make a
3 presentation. We will start with Ms. Summers, followed by
4 Mr. Vick, and finally, Mr. Mazumbar.

5 Roxanne?

6 MS. SUMMERS: Thank you, Irene.

7 Chairman Jackson, Commissioners, thank you very
8 much for the opportunity to speak with you today.

9 The Managing Diversity Subcommittee was created
10 out of the perception and belief that the agency is
11 changing. I think, as Chairman Jackson mentioned, there are
12 a number of ways in which this is changing. For example,
13 our resources are shrinking, but our work has not
14 diminished. I think the tasks that we are called for, are
15 called to face, are still continuing to change. Some of
16 them are different from those tasks that we had a few years
17 ago, and the regulatory challenges also may continue to
18 change. Therefore, I think the skills that the work force
19 have will need to change as well. The skills we have today
20 will be different in the coming years.

21 I think this presents us with both an opportunity
22 and a challenge. It is a challenge to be able to predict
23 the need for those skills in the future accurately and, I
24 guess, in time so that we could provide the courses that are
25 necessary in a timely fashion. At the same time, I think it

1 will provide an opportunity for us to motivate employees to
2 put forth the effort and the enthusiasm to actually acquire
3 those skills that we will be needing.

4 So, as a Management Diversity Committee, we feel
5 that our managers will be required to display exceptional
6 managerial talent in the coming years. I think, also, the
7 Commission has recognized this, for example, in the response
8 to the strategic planning options for the decision issue, 19
9 or 23, I guess, enhancing regulatory effectiveness. The
10 Commission called for measures to engage the work force at
11 the grass roots level and to stimulate management and
12 employee communications and problem-solving.

13 I am going to make a sort of leap here, but we
14 think that to engage the work force requires managing
15 diversity, which we have defined to mean that each employee
16 must be motivated and encouraged to contribute to his or her
17 maximum potential without regard to the list of things that
18 Chairman Jackson mentioned, including ethnicity, age,
19 gender, background, et cetera.

20 I think the words "encouraging each employee to
21 reach his or her maximum potential" are very important
22 words, and we wanted to emphasize that by saying we think
23 this means that employees would come to work challenged and
24 prepared to be challenged rather than, perhaps, expecting to
25 be held back or under-utilized in their jobs.

1 I think if are going to engage our work force, our
2 managers must be chosen and promoted based on their
3 managerial skills. I think that is very important. They
4 must be able to motivate their staff and communicate a
5 genuine interest in the career potential of their employees.

6 We think they must be required not only to provide
7 the opportunities, some of these that Ms. Norry and Ms.
8 Little have mentioned already, opportunities to develop by
9 varying work assignments and by encouraging rotations, but
10 we must also motivate the Staff to seize those
11 opportunities. It can't just a pro forma effort.

12 We know that new skills can be learned. We have
13 an intern program, and for example, training courses and
14 probabalistic risk assessment that show that we can teach
15 new skills when they are needed.

16 In its research to date, the subcommittee has
17 learned one very important lesson, and that is it is no easy
18 matter to manage diversity, to adapt well to a work force
19 where the managers and the employees do not all come from a
20 similar background. There is no question that that is a
21 difficult task, and it will be particularly difficult for an
22 agency like the NRC to place more importance on the
23 managerial skills than on the technical skills of its
24 executives.

25 I think it will require just the decision to do

1 this, but a real determination to carry this out. Yet, it
2 is a decision that is a business decision, really, that must
3 be made. We cannot excel as an agency if our employees are
4 not encouraged to reach their maximum potential. There are
5 no extra people on our payroll.

6 We think every person is a valuable resource in
7 achieving the agency's goals of regulatory excellence, and
8 in addition, we feel that people who feel valued do better
9 work and feel better about working. Members of the
10 subcommittee have, as one of their activities, read this
11 book, which I highly recommend to those who are interested
12 in the challenge presented by Managing Diversity. I am sure
13 that Barbara Williams can obtain a copy, or I will even give
14 you mine, but it really shows you that this is not an easy
15 task, and to do what we have to do, it will require a lot of
16 effort.

17 When we have completed our research, in addition
18 to this book we are looking at what other agencies are doing
19 and trying to come up with a list of recommendations which
20 we will present at a subsequent briefing, but those will
21 only be recommendations. This decision, this determination
22 to change, can only be made at the highest levels of the
23 agency, and it must be communicated forcefully to all
24 managers and all employees. We can only hope to achieve the
25 goal of regulatory excellence if we pursue managing

1 diversity together.

2 Thank you.

3 COMMISSIONER DIAZ: Thank you.

4 CHAIRMAN JACKSON: Okay.

5 MS. SUMMERS: Larry?

6 MR. VICK: Thank you, Chairman Jackson,
7 Commissioners, for the opportunity to speak to you on the
8 issues being addressed by the Performance Monitoring
9 Subcommittee.

10 As you review and consider the agency's EEO
11 program, we believe that the important thing is not where we
12 were or where we are, but where we want to go.

13 Our subcommittee is tasked to address five
14 specific issues raised by the EEO advisory committees. Our
15 primary goal is to assist management in monitoring and
16 evaluating affirmative action initiatives, support strategic
17 planning, encourage stronger management accountability
18 systems into the EEO area, examine ways to enhance
19 representation of women and minorities in supervisory and
20 managerial positions, and lastly, examine root causes of
21 discrimination complaints.

22 We are happy to report that meaningful progress
23 has occurred to date. The subcommittee has held six month
24 meetings since being informed in July of 1996. The
25 subcommittee began its work by obtaining a focused

1 understanding of the terms, "affirmative action," "equal
2 employment opportunity," and "initiatives."

3 We then identified agency programs associated with
4 these terms, with the ultimate goal to determine the
5 effectiveness of each.

6 Thirty-four programs or initiatives that support
7 EEO and affirmative action initiatives have been identified
8 by this subcommittee for monitoring and evaluation. The
9 initiatives cover a wide range of developmental areas in the
10 administrative, technical, professional, clerical fields for
11 both supervisor and nonsupervisory staff members.

12 SPCR and OP are currently collecting specific data
13 associated with each. The data will include the number of
14 participants, demographics, how the program is evaluated,
15 and an overall recommendation regarding the effectiveness of
16 each.

17 Data analysis is expected to be completed during
18 FY '97. The resolution of these issues will aid all
19 employees to be knowledgeable of the ways and means to
20 achieve the objectives of inclusion and equal opportunity.
21 The data analysis of these initiatives will also provide the
22 basis for work on the issues of increased representation of
23 women and minorities.

24 The subcommittee is working with SBCR to close the
25 issue on examination and report on specific concerns of EEO

1 committees and their root causes, and this will be done when
2 the SBCR summary report is presented at the next briefing.

3 Because of the need for confidentiality, the
4 actions taken by the agency to prevent reoccurrence of
5 similar EEO complaints remain to be addressed. The
6 subcommittee plans to work toward resolution on the issues
7 of strategic planning and management accountability in the
8 second quarter of this year.

9 To summarize, the subcommittee recommends that a
10 better understanding of the terms and concepts associated
11 with EEO affirmative action initiatives be routinely
12 communicated and that a periodic review of the objectives in
13 management directives, 10.61 NRC Equal Employment
14 Opportunity Program, be undertaken by all employees,
15 especially those with management responsibilities.

16 The ultimate goal is to ensure that all employees
17 can share in the benefits derived from equal employment
18 opportunity.

19 CHAIRMAN JACKSON: Repeat what you just said.

20 MR. VICK: The ultimate goal --

21 CHAIRMAN JACKSON: No, the one before.

22 MR. VICK: Okay. To summarize, the subcommittee
23 recommends that a better understanding of the terms and
24 concepts associated with EEO affirmative action initiatives
25 be routinely communicated and that a periodic review of the

1 objectives in management directives, 10.61, titled NRC Equal
2 Employment Opportunity Program, be undertaken by all
3 employees, especially those with management
4 responsibilities.

5 In conclusion, the EEO advisory committees
6 appreciate the attention the Commission has given to our
7 concerns as we strive to bring about beneficial changes at
8 the workplace.

9 Thank you.

10 CHAIRMAN JACKSON: Thank you.

11 MR. MAZUMDAR: Chairman Jackson?

12 CHAIRMAN JACKSON: Could you pull the microphone
13 more closer?

14 MR. MAZUMDAR: Chairman Jackson, Commissioners
15 Rogers, Diaz, and McGaffigan, it is my pleasure today to
16 present the progress made by the Selection Subcommittee in
17 the last six months.

18 We have experienced that many at the NRC,
19 especially those with the experience in other Federal
20 organizations, believe that compared to other Federal
21 agencies, NRC is a much better managed organization,
22 especially in the selection and promotion policies.

23 However, we have also experienced that many NRC
24 employees believe that in the past, some managers have
25 unfairly preselected employees in the merit selection

1 process. This is not only unfair. It adversely affects the
2 Staff morale.

3 The perception of preselection is so strong that
4 when the EEO advisory committees were asked to prioritize
5 their EEO concerns, preselection was identified as one of
6 the three more important issues, and in September 1996, the
7 Selection Subcommittee was formed to study the employees'
8 concerns.

9 The word "preselection" is not in the Webster's
10 Dictionary. However, most people at NRC have a pretty good
11 idea what preselection is. To carry out its mission, the
12 subcommittee has defined "preselection" as a selection that
13 is predetermined and not based on a fair and equitable
14 assessment of each candidate's qualification, experience,
15 and capability.

16 The perception of preselection applies to
17 positions that are advertised through the merit selection
18 process, as well as participation in special programs and
19 performance awards.

20 This subcommittee has 20 participants from
21 different EEO advisory committees, Office of Personnel, and
22 Office of Small Business and Civil Rights. The subcommittee
23 has formed several working groups, each consisting of four
24 to five members who study specific issues in depth and
25 report their findings at the monthly subcommittee meetings.

1 Thus far, this subcommittee has four monthly
2 meetings and has decided to pursue the following five action
3 items: action item one, develop criteria for examining and
4 identifying possible evidence of presentation; action item
5 two, review NRC policies, procedures, and practices related
6 to the vacancy announcements, selection process, training,
7 awards and other benefits; action item three, determine of
8 there is a reasonable basis for the perception of
9 preselection practices; action item four, learn from other
10 agencies on measures taken to minimize preselection; and
11 finally, present a report on the subcommittee's findings.

12 The subcommittee is aware that it has a difficult
13 task ahead, but we believe that with support from NRC
14 management, Office of Personnel, and Office of Small
15 Business Development and Civil Rights, we will be able to
16 present significant information on the perception of
17 preselection that has demoralized many NRC employees.

18 I also take this opportunity to tell all those who
19 have helped us to carry out our missions.

20 That is the end of my statement.

21 CHAIRMAN JACKSON: Thank you.

22 Let me ask you a couple of questions. First of
23 all, do you anticipate and have you gotten a commitment from
24 the Office of Personnel and SBCR that they will work with
25 you so, that in the next briefing, we won't be talking about

1 preselection as a perception, but we can actually have some
2 sense of what the situation really is?

3 I say that because I know that that has been a
4 concern for some time, and each time -- and I've been here
5 now -- this must be at least my fifth such briefing, and
6 there is always discussion of perception, and I think it is
7 important that the Commission finally have some data so that
8 we can have a real perception of what the situation is.

9 So I am, therefore, asking Mr. Bird and Ms. Little
10 and, by implication, Ms. Norry, have you given Mr. Mazumdar
11 your commitment that you are going to be working with this
12 committee so that we can really have some concrete data to
13 look at the next time the Commission is briefed or before?

14 MR. BIRD: I believe, and I know some of my staff
15 here have been working hand and hand with that committee,
16 and Irene's staff, also. I don't know that we have reached
17 a point where we have hard specific data examples of where
18 this has occurred. Certainly, the perception of
19 preselection is an age-old perception. I think that is the
20 goal, to eliminate the wrong as parts of preselection
21 altogether, if we can do that.

22 The process we have in merit selection certainly
23 intended to do that, and there are means of trying to
24 address that through looking at how things have worked in
25 that process.

1 I think in terms of getting specific examples,
2 that is something that we would have to work with the Office
3 of Civil Rights to develop in specific cases or instances
4 where we believe this is true.

5 Certainly, I think things are moving in that
6 direction. I know there has been a lot of effort, but with
7 the committee's support to try to get at this issue.

8 CHAIRMAN JACKSON: Have you decided what questions
9 need to be ask to tyr to get at the issue?

10 MR. MAZUMDAR: So far, we have gotten good
11 response from the Office of Personnel and SBCR, but we
12 haven't progressed enough to ask some of the critical
13 questions, where we can establish whether there is
14 preselection or not.

15 CHAIRMAN JACKSON: Have you decided what those
16 questions are?

17 MR. MAZUMDAR: We are looking into it. We haven't
18 developed the final questions yet, no.

19 MS. LITTLE: Yes. Dr. Jackson, I was in
20 attendance at the last subcommittee meeting, and yes, the
21 Subcommittee on Preselection certainly has our commitment to
22 work with them.

23 I think that we talked a little bit about the
24 focus being on what we can do to eliminate that perception
25 in the future. It is very difficult to get at that data in

1 the past because some of it is perception and some of it may
2 very well be real, but since we don't maintain any data
3 specifically addressing that, our focus, as we talked in the
4 last subcommittee meeting, was to look at ways that we can
5 present this kind of thing from happening in the future.

6 CHAIRMAN JACKSON: But you don't know what you are
7 presenting if you don't know what exists.

8 MS. NORRY: You are saying the first thing we have
9 to do is define the problem and address the questions.

10 CHAIRMAN JACKSON: Correct, right.

11 MS. NORRY: So we will work with the subcommittee
12 to do that.

13 CHAIRMAN JACKSON: Okay. Commissioner McGaffigan?

14 COMMISSIONER MCGAFFIGAN: I know a little bit
15 about preselection because I once was on that side of the
16 table. I know how it is done in the Pentagon.

17 [Laughter.]

18 COMMISSIONER MCGAFFIGAN: I would suggest you look
19 for things like unusual announcements that have unusual
20 conditions in them that maybe -- I never was in the
21 Pentagon, but I know people who went from the Hill to the
22 Pentagon, and I think they were effectively preselected for
23 what were open positions by gearing it toward the particular
24 skills that that person had.

25 So I think if I were in your committee, I would be

1 looking for that sort of thing, announcements that happen to
2 have unusual --

3 CHAIRMAN JACKSON: Qualifications.

4 COMMISSIONER McGAFFIGAN: -- qualifications in
5 them.

6 CHAIRMAN JACKSON: Right, right. It is called
7 pick the person and then write the job description.

8 COMMISSIONER McGAFFIGAN: Right, right.

9 CHAIRMAN JACKSON: Let me ask you a few questions.
10 If we look at Table 1.1 on page 1.5 of your report, the
11 table indicates that there has been marginal progress in
12 hiring professional minorities, but the professional
13 minority women, as well as Native Americans, still lag
14 behind all other groups.

15 What kinds of efforts, particularly in the
16 recruitment area, are being planned or taken to improve in
17 these areas? We realize there is an issue of who is in the
18 market and how geography plays into that, and that may have
19 some impact on certain groups, but if you look across the
20 spectrum of various minority groups and you look at
21 professional minority women, it would seem that in this
22 particular area that there is some mitigation of the
23 geographic effect. So I am interested in what it is that
24 you have either planned or have already undertaken to do
25 something about that.

1 MR. BIRD: Well, certainly, from a recruitment
2 standpoint, the majority of our recruitment budget is now
3 focused on this issue and is particularly focused on
4 professional staff recruitment.

5 We have a rather ambitious schedule for going to
6 specific schools that are representative of the groups that
7 we believe could be improved, and I have a recruitment
8 schedule. I won't go through that item for item, but
9 certainly, there are some areas of the country and some
10 particular schools that have populations that are well
11 suited to enhance our populations in these areas.

12 We get, for example, from the Oak Ridge Institute
13 of Science and Technology a breakdown that they update for
14 us from year to year of where minorities and women are
15 specifically enrolled. We do try to focus on these schools
16 and keep current on where to go to find the right people,
17 the right candidates to fill these jobs. So I think from
18 the recruitment standpoint, that focus is there.

19 Certainly, more recently, as we have been
20 downsizing, the opportunities for intake here have been
21 less. That may change, of course, if some of the DOE
22 regulatory work comes our way and we are back in more of an
23 expansive recruitment mode. I think some of the payoff from
24 these sources will show up in these data tables.

25 In our inventory, our applicant's supply file, I

1 think, again, there is some good candidates. However, the
2 candidates that are in that supply file may not find their
3 way to specific jobs that we have currently. Again, the
4 lack of opportunities here is fairly significant over the
5 past three or four years.

6 We are certainly focussing on this internally as
7 well in developmental opportunities. I think to some
8 extent, there are already people in the agency who have the
9 potential to move in the professional categories. Some are
10 undertaking advanced education, and we should continue to
11 support that as well, but from a recruitment standpoint, I
12 think we know where to go to look.

13 One thing that came up in the past couple of weeks
14 was a Native American recruitment. I know we have gone back
15 to refocus our efforts there to make sure that we are
16 getting to the right schools that have these populations and
17 that we put ourselves in the position to be able to compete
18 favorable.

19 In many cases, minority candidates get multiple
20 job offers. We feel we have, to some extent, have been
21 competitive. Our accepted service status allows us to be
22 somewhat competitive, but there is always room for
23 improvement, and I hope that we can continue that focus and
24 continue to have a recruitment budget that permits us to do
25 that.

1 CHAIRMAN JACKSON: If we look at Table 1.5 on page
2 110, it seems to suggest -- in fact, that is what the
3 statistics strongly suggest -- that minorities have not
4 fared well in joining the ranks of the SLS.

5 The two questions that actually come to my mind
6 are have minorities been applying and what steps are being
7 done -- there are actually three questions -- to prepare
8 individuals for it, and if you take away the Commission
9 offices, what would the numbers look like.

10 MR. BIRD: Well, you know, again, the Commission
11 has done very well in this regard. This particular
12 Commission, I think, has been exceptional in that effort of
13 trying to focus on minority women candidates and bring them
14 into --

15 CHAIRMAN JACKSON: Well, just minorities in
16 general, if you look at it. I think I count up five.

17 MR. BIRD: Right.

18 CHAIRMAN JACKSON: So, if you took away the
19 Commission offices, what would the numbers be?

20 MR. BIRD: Well, it has gone up since this chart
21 because this was last fiscal year --

22 CHAIRMAN JACKSON: Okay.

23 MR. BIRD: -- but the number is now eight, but
24 six, if you -- I think if I did my math right. There is one
25 additional that is not a Commission office staffperson that

1 is in the SLS, an additional woman who is in the SL ranks
2 now.

3 So, again, there has been some progress there.
4 There has been one additional woman. The numbers,
5 currently, would be, in column 1, under women, 8, and the
6 other numbers, the end number total would be 41, and that
7 is, again, the difference between the last fiscal year and
8 where we are today.

9 Again, the majority of those have been, as we
10 know, Commissioner selections.

11 CHAIRMAN JACKSON: So, in our regular professional
12 ranks, we have essentially zero. Is that what you are
13 saying?

14 MR. BIRD: Yes.

15 CHAIRMAN JACKSON: So what is the story?

16 MR. BIRD: Well, you know, I don't know what to
17 exactly say.

18 CHAIRMAN JACKSON: Should I not ask you, but have
19 the office directors here --

20 MR. BIRD: Well, certainly, the office directors
21 are the ones that make the selection, and I think there have
22 been candidates that have been in competition for those
23 jobs, minority candidates.

24 There is a review group that Pat has chaired that
25 looks at those selections, particularly with regard to this

1 issue, and I think that committee has made some suggestions
2 to specific managers, and perhaps, Pat, you would like to
3 comment on that.

4 MS. NORRY: Yes. We have had, perhaps, not as
5 many as in the SES, but there have been cases that my group
6 looked at where there were candidates who we judged to be
7 highly qualified, and ultimately, then, someone else was
8 selected. That does happen, but I think the candidate pool,
9 though, has not been as large as perhaps we would have
10 liked. So I think it is a two-pronged thing. We have to
11 get more people in the candidate pool for these jobs and
12 also do a better job of looking at them once they are in
13 there.

14 CHAIRMAN JACKSON: I think that perhaps in the
15 next Commission briefing in this area, we will have two
16 panels, one, the group of you who are here, and the other, a
17 group of office managers, of office directors, to have them
18 talk with the Commission relative to the same issues that we
19 talked with you about because it's a hand-in-glove
20 situation. The real hiring is going on in those offices,
21 and that is where we need to understand where the logjam
22 seems to be, and I think the only reasonable way to get at
23 it is to chat with some of those office directors, but let
24 me ask you a couple of questions.

25 The SECY paper indicates that the supervisory

1 development program and the SES candidate development
2 program will be offered again when there is a demonstrated
3 need to prepare additional employees for supervisory and SES
4 positions.

5 In light of the mandated downsizing and the
6 supervisor reductions, do you have any projection of when
7 there might be such a demonstrated need? And how often have
8 these programs been offered in the past?

9 MR. BIRD: Yes. The SES candidate development
10 program has been offered three times, one time recently. In
11 the recent instance, there were 23 graduates of that
12 program. Of the 23 in fiscal '96, seven were selected out
13 of the program and are now in SES jobs.

14 I might go on to say that four have been selected,
15 some by the Commissioners to go to senior-level positions.
16 Now, that is not SES. So don't let me confuse you because I
17 am adding and subtracting here simultaneously.

18 Since the end of the fiscal year, there has been
19 one additional candidate selected for an SL position,
20 another selected for an SES position. That would mean if
21 you could both SES and SL here, there would be 10 left in
22 the candidate pool. However, since five of those are in
23 senior level positions and not SES position, I think they
24 would have to be considered still candidates for SES jobs.

25 So right now, of the 23, I would consider that

1 there are 15 that would need to be placed. Our rule of
2 thumb when we started that program was that when we hit a
3 level of about 50 percent that we would reexamine, one, how
4 long it has taken since we ran the program, which was '94,
5 how long did it take to get to the halfway point, and then,
6 if you could extrapolate from that or decide that it might
7 take about the same amount of time to deplete it, we would
8 start another program when we were down to about a third of
9 those candidates left.

10 We are moving in that direction and certainly need
11 to begin to be thinking about starting that program again.
12 As you will recall, it is a one-year-long program. So, if
13 you want to have people trained and ready, you have to start
14 in advance of that year, or you would have a shortfall.

15 But at this time, we are at a stage where it is
16 time to begin looking at that and consider whether or not we
17 want to start another round of that.

18 With the supervisory development program, there
19 were 27 selected, and actually, this past program, which is
20 a two-year training program, there were 27 selected. Out of
21 the 27, seven have become new supervisors. Now, of course,
22 that is in an environment where we have been reducing the
23 number of supervisors, trying to reduce that number as the
24 agency is drawing down in an equivalent percentage fashion.

25 That would mean that 20 of those candidates left.

1 However, in fiscal '97, one of those candidates has been
2 selected for a senior-level position, but again, I would
3 continue to have that person in the count.

4 So I think we are a little farther away, there,
5 considering starting another program that we are with the
6 candidate development program, but the whole idea is that
7 when we reach a point where we think it is time to redraw
8 and restart those programs, we would certainly recommend
9 doing that.

10 I think these are excellent. Both of these
11 programs have been an excellent preparation for people that
12 have gone into these jobs, even including the SES training
13 for those that have gone into SL positions.

14 Is that responsive?

15 CHAIRMAN JACKSON: Well, I think we need to on a
16 more systematic basis understand how and when these
17 development programs are offered and expect to be offered
18 relative to our work force needs. Since we are coming out
19 of a strategic assessment, we are looking forward to doing a
20 multiyear plan, so that we can understand where the need is,
21 to give some particular emphasis.

22 Let me ask you a few more questions. If we look
23 at Chart 2.1, the numbers are small, but there does seem to
24 have been a slight decrease in the number of Hispanic males
25 as well as African-American females in the professional

1 career fields, with the streamlining.

2 Are Hispanic males and African-American females
3 particularly in positions where we expect that they may be
4 more vulnerable to the streamlining, if that is the
5 direction things continue to go?

6 MR. BIRD: I don't think -- again, I guess I'm --

7 CHAIRMAN JACKSON: These are fluctuations of the
8 numbers?

9 MR. BIRD: Right. Yes. I am optimistic that in
10 the case of this particular agency -- and I know this is an
11 optimistic statement given the backdrop to where the
12 Government is continuing to go, but I am hoping that, to
13 some extent, these reductions have sort of bottomed out for
14 us, and again, particularly with regard to some of the DOE
15 work; that the opportunities to flatten out or even maybe
16 have an increase in staff would certainly give us more
17 opportunity to increase the numbers.

18 Again, when we have been in an upward hiring mode,
19 we have done much better with regard -- particularly since
20 we have a good focus in recruitment -- of getting people
21 through the door and making these numbers go up as a general
22 rule, and I believe if the data we get from outside is
23 correct, there are certainly more women and minority
24 candidates in the fields that we recruit heavily for than
25 there have been in the past.

1 So, almost in my mind, by definition, if we are in
2 a growth mode or even if we are in a replacement mode, we
3 are going to see these numbers improve, and I certainly
4 would hope that is true.

5 CHAIRMAN JACKSON: You are tracking these feeder
6 groups in terms of what happens in those groups, in terms of
7 the entry-level professional positions?

8 MR. BIRD: Yes, particularly with regard to entry
9 levels.

10 Certainly, I would hope that we would be
11 entertaining more entry-level hiring. I am certainly an
12 advocate for that, and I would encourage the Commission to
13 --

14 CHAIRMAN JACKSON: To encourage you to do that.

15 MR. BIRD: To encourage me to do that.

16 [Laughter.]

17 CHAIRMAN JACKSON: Well, we take advice.

18 I note that the Asian-Pacific-American Advisory
19 Committee's briefing statement indicates that they are
20 concerned about a perception of a longer time in grade for
21 Asian-Pacific-American employees at the 15 to 13 grade
22 levels in comparison with other groups.

23 Do we have statistics relative to time in grade at
24 these levels, categorized by groups, and what can we say
25 about that?

1 MR. BIRD: We did a short analysis of that issue,
2 and if I can find my data sheet, what we found was,
3 particularly with regard to Asian-Pacific-Americans, was
4 that that did not seem to hold up at the 13 and 15 levels,
5 but it certainly did hold up at the Grade 14 level.

6 Now, again, this was a very short analysis, but I
7 believe it is true. It was an average time in the current
8 grade, which did reflect that at the Grade 14 level, there
9 was a longer time for that particular group than others.

10 The same was not true at the Grade 13 level, nor
11 was it true at the Grade 15 level, and I would be happy to
12 provide that. We certainly will continue to look at this
13 issue because it is one where I can certainly understand the
14 concern that is raised in that regard.

15 CHAIRMAN JACKSON: Commissioner Rogers?

16 COMMISSIONER ROGERS: No, I don't have any special
17 questions.

18 CHAIRMAN JACKSON: Commissioner Diaz?

19 COMMISSIONER DIAZ: I really feel like I am at a
20 disadvantage. All of these numbers seem to be always in a
21 relative senses, but I would like to say something that I
22 think is from my previous experience in this area. As we
23 work in using terms to describe what we want to do, I found
24 that there was a term that was very, very appropriate, and
25 that was the term "to enable," rather than just encourage or

1 motivate. The system must be able to enable the person to
2 function and progress to their level of potential
3 achievement.

4 I think it is a very descriptive term. To enable
5 a person means the person is trying. I always feel like I
6 need to try a little harder. I was maybe a little slower
7 than most people. So I always tried a little harder or
8 tried to run a little faster.

9 I think as the programs are set, the word "enable"
10 is an integrating word in which it actually looks at the
11 person. It allows the person to realize that they need to
12 go a step farther, and it also puts the program in the
13 position of saying I must provide these steps to enable
14 that.

15 I think that is all I want to say. The next time,
16 I will have a few more questions.

17 CHAIRMAN JACKSON: Commissioner McGaffigan?

18 COMMISSIONER McGAFFIGAN: I would first like to
19 ask Ms. Summers a question.

20 You made the distinction between technical skills
21 versus managerial skills and said it would be hard in a
22 technical agency to value one over the other. Why does that
23 have to be versus? Why can't we be looking for senior
24 managers with the appropriate technical skills who can also
25 manage well? Why do you see it as a versus as opposed to we

1 need to find the people with the technical skills who can
2 also manage well?

3 MS. SUMMERS: It doesn't have to be a versus, but
4 I think, particularly with the kind of technical work we do
5 here, it doesn't give the technical people much of a
6 background in dealing with people when they have chosen to
7 spend most of their life dealing with figures and dealing
8 with metallurgy or various other technical issues. Their
9 backgrounds are not necessarily -- have not necessarily
10 thrown them together in a situation where they have had to
11 deal with people in the past, even in the agency at the
12 lower grades in the work that they have done.

13 COMMISSIONER MCGAFFIGAN: One thing I might just
14 ask the people around the personnel system, what sort of
15 opportunities are there for the technical folks at fairly
16 senior levels? I mean, there are all these courses. You
17 could take a year at a public administration school and get
18 a master's in public administration or you could take a
19 summer -- you know, the Kennedy School has a summer program
20 for senior managers and Government. How often do we have
21 people take advantage of those sorts of programs to try to
22 broaden them out of the metallurgist to the manager?

23 MS. NORRY: We make good use of those programs,
24 perhaps some of them, like the one at the Kennedy School,
25 which I agree is a tremendous program.

1 COMMISSIONER McGAFFIGAN: Did you go to it?

2 MS. NORRY: Oh, yes. It was terrific.

3 COMMISSIONER McGAFFIGAN: I see.

4 MS. NORRY: But it is very expensive, and it does
5 get to be almost pricing itself out of the market, but
6 things like the Federal Executive Institute and other
7 programs -- I think, 10 years ago, I would have said, and
8 many would have said that we did not do a good job of
9 emphasizing management skill; that in fact, it was true
10 that technical skills totally predominated in terms of how
11 people got ahead.

12 I really don't think that is true --

13 CHAIRMAN JACKSON: Is anybody able to be promoted
14 today without having gone through some kind of managerial
15 training or program?

16 MS. NORRY: We get them at the earlier stage where
17 we have required courses. When you are going into a
18 managerial, you have to have passed certain levels of
19 required courses.

20 MR. BIRD: But I don't think that is
21 all-inclusive.

22 CHAIRMAN JACKSON: It is not a systematic program,
23 and it is not a built-in requirement at this point?

24 MR. BIRD: Not yet.

25 MS. NORRY: But we make you play catch-up if you

1 get in a job and you haven't been through the managerial
2 courses.

3 MR. BIRD: It is mandatory training, but maybe a
4 little too late.

5 CHAIRMAN JACKSON: Excuse me, Commissioner
6 McGaffigan.

7 Over what time window are people required to catch
8 up, so to speak?

9 MR. BIRD: I don't remember exactly. Perhaps
10 someone on my staff might remember.

11 MS. HAMILL: Eighteen months.

12 MR. BIRD: Is it 18 months? It is an 18-month
13 time frame for the required training elements to be
14 complete.

15 COMMISSIONER MCGAFFIGAN: We are basically
16 resource-constrained to some degree.

17 I had a friend who is a Pentagon manager who had a
18 really critical stage in his career. He was a white male.
19 So he wouldn't meet an EEO target, but he got a whole year
20 at the Kennedy School, plus his salary, and got himself a
21 master's degree, which clearly enhanced his career
22 thereafter. That was in the mid-'70s Pentagon when they
23 were on one of their down slopes.

24 CHAIRMAN JACKSON: Yes, but their down slopes are
25 our up slopes.

1 [Laughter.]

2 MS. NORRY: One of the things, though, that we
3 have here, which perhaps some other agencies don't, we have
4 a very strong internal training program, and Paul and his
5 staff have developed many, many courses which are offered
6 in-house.

7 The ones outside are perhaps available not to
8 everyone, but we still do take advantage of those,
9 particularly FEI, which I believe still runs a good program.

10 COMMISSIONER McGAFFIGAN: Let Ms. Summers get a
11 word in.

12 MS. SUMMERS: I don't think it is so much a
13 question of the training courses that are offered as the
14 importance that is placed on the choosing and promotion of
15 people, depending on their people skills more than their
16 technical skills.

17 CHAIRMAN JACKSON: Or as much.

18 MS. SUMMERS: Or as much. Well, I guess I would
19 hope that as they got higher, it would become more people
20 skills than technical skills, on the assumption that their
21 technical skills were what got them the job in the first
22 place and that they spent many years at the lower levels
23 honing those skills, but I would just like to read two lines
24 here from the book because this speaks of another technical
25 agency where it says, "There is a tremendous preoccupation

1 in getting the job done." This is true for managers. They
2 get so caught up that they fail to see the importance of
3 people. I don't think anybody believes they will get by on
4 people development alone.

5 I think that is the kind of thinking that is very
6 prevalent here because we do have such an important
7 technical mission that even the highest-level managers are
8 more concerned with the technical job to be done than
9 necessarily the people skills of themselves or their
10 managers.

11 COMMISSIONER MCGAFFIGAN: I would like to ask just
12 a couple more questions. The Tables 1.2 and 1.3, it looks
13 like the intern program, and both of these are tiny
14 programs, but it looks like the intern program is a
15 relatively effective mechanism for meeting EEO goals,
16 compared to the graduate fellowship program where it is more
17 a matter of -- that it is really Table 1.4 that shows who is
18 in it, but given the applicant pool, the result of who is in
19 it is determined.

20 I don't know much about a graduate fellowship
21 program. I didn't know actually until I saw this paper last
22 night that we had one. Why do we have one as opposed to
23 just relying on the NSF and other -- you know, there is a
24 myriad of fellowship programs -- some run -- the Hertz
25 Foundation, whatever -- especially if it isn't helping us in

1 this area.

2 MR. BIRD: That program, if I remember correctly,
3 started about three or four years ago in the interest of
4 trying to develop a specific skill that we had a lack of
5 abundance of in the agency.

6 I guess I can think of an example, a digital
7 instrumentation. The whole notion was that we would --
8 again, working with Oak Ridge Institute of Science and
9 Engineering -- go out with a large network of people, get a
10 candidate base developed, find someone who was motivated to
11 go to graduate school in an area that we defined.

12 We then would bring them in. They would serve
13 nine months in-house, and then they would go off to graduate
14 school, hopefully to come back with that skill and then be a
15 long-term asset to the agency.

16 COMMISSIONER McGAFFIGAN: What is the requirement
17 for years of service per year of graduate school?

18 MR. BIRD: I believe it is two to one.

19 COMMISSIONER McGAFFIGAN: Two to one.

20 MR. BIRD: So, if you are away for a year, then we
21 have got you.

22 COMMISSIONER McGAFFIGAN: Do we have any
23 evaluation as to whether the graduate fellowship program --
24 I guess if it is that young, we probably don't have the
25 people back yet.

1 MR. BIRD: Well, there are some that have gone
2 through the program now. I believe there are a couple that
3 have returned to the staff, and at least my initial feedback
4 -- and I didn't look at it specifically for this meeting,
5 but it was that, certainly, they accomplished what they set
6 out to accomplish in those programs, and they are going to
7 be looked at valuable assets in the agency.

8 COMMISSIONER MCGAFFIGAN: And the rationale is
9 trying to find that equivalent person just graduating from
10 one of the graduate schools and recruiting them, we are not
11 competitive doing that? People in digital instrumentation
12 -- I mean, you know --

13 MR. BIRD: Yes. That was the notion, again, that
14 this would be an enhanced recruitment tool. We would be
15 offering them not just an internship within NRC, but an
16 option to go and have graduate school paid for at our
17 expense, and then --

18 COMMISSIONER MCGAFFIGAN: Do they get their salary
19 while they are in graduate school?

20 MR. BIRD: They get a stipend.

21 COMMISSIONER MCGAFFIGAN: Get a stipend.

22 MR. BIRD: So there is a very attractive feature
23 to that program in that regard for those students who do
24 wish to get an advanced education, and again, that was the
25 design. The program is a little different than the intern

1 program.

2 Certainly, someone in the intern program could go
3 on to graduate school at our expense. So it doesn't accept
4 those people, but the design was a little different to
5 attract, again, a little bit of a different person, not
6 planning to come to work, but planning to go to graduate
7 school and to allow us to at least have an opportunity to
8 recruit them.

9 COMMISSIONER McGAFFIGAN: I just suggest to Ms.
10 Little that this is one of the programs you need to keep an
11 eye on.

12 MR. BIRD: It has been very small so far. The
13 program offices do this out of their hides, if you will, in
14 FTE. So it is the goodwill of the office directors that we
15 have been able to do this at all, and again, some of the
16 office directors might be able to --

17 COMMISSIONER McGAFFIGAN: Maybe that is another
18 reason.

19 CHAIRMAN JACKSON: Another reason to have them
20 there.

21 Yes.

22 COMMISSIONER DIAZ: I want to put my university
23 hat on for a minute.

24 In some of the things from the graduate fellowship
25 program, it really has been a very dry and hard time out

1 there in the universities for fellowships, for people that
2 are going to be involved in the nuclear engineering,
3 sciences, or anything. So practically any of these programs
4 are seen as life savers.

5 As far as I am concerned, and I have several of
6 these programs going, any time you have somebody in a
7 fellowship or even an assistant-ship -- I have some
8 Department of Defense assistant-ships that went through
9 programs -- you actually plug the individual to the
10 organization in a certain way, and it does give you a
11 recruiting advantage.

12 From the standpoint of the NRC, I always found
13 that we graduate an enormous amount of engineers in this
14 country, and many of them went to work in the nuclear
15 industry, one way or another, that know very little about
16 regulation, and that went out there and actually don't
17 realize there is a tremendous interface that they have to
18 work with.

19 No matter how good their technical skills are,
20 they are actually handicapped by the lack of knowledge of
21 the regulation. So I would encourage us to really try to
22 put this program there and force the fellows to come here
23 and learn what nuclear regulations are.

24 CHAIRMAN JACKSON: Okay. Commissioners Rogers?

25 COMMISSIONER ROGERS: Well, my observation of the

1 graduate fellowship program here is that it has really been
2 very targeted, and while there aren't many participants, it
3 has been very useful.

4 The one or two cases that I have had an
5 opportunity to look at, I don't think you have gotten those
6 people out of the NSF and other graduate fellowship
7 programs. The fact that they have to come here first and
8 become part of our work force before they get into it, I
9 think, is a very big difference, and when they go to
10 graduate school, it is very targeted towards things that we
11 are most interested in.

12 So, while the numbers are small and I think that
13 there is probably all kinds of reasons for that, I do think
14 that the program itself has been very effective, at least in
15 the opportunities that I have had to look at it.

16 CHAIRMAN JACKSON: From time to time, the
17 Commission receives comments that there is a bias in our
18 hiring and promotion relative to those who come from the
19 Nuclear Navy. Have we looked at that?

20 I know we have made the argument that it is a good
21 source of highly qualified people, but presumably, it is not
22 the only source. So are you looking at that when you speak
23 about recruitment, not just for minorities and women,, but
24 more broadly?

25 MR. BIRD: Yes. Again, we have never had a rating

1 criteria that says you have to have been in the Navy or gone
2 to the Naval Academy in order to come to work, and
3 certainly, that is something that many feel that there are
4 certain advantages from having been through the Nuclear Navy
5 Training Program, certainly in hiring inspectors,
6 particularly. I think there is a value that does show up to
7 some extent in the criteria in operating experience.

8 CHAIRMAN JACKSON: But in the end, if you are
9 looking at pumps and valves and gages and so on, there are
10 any number of programs that presumably prepare people for
11 that.

12 MR. BIRD: I believe so, and I certainly think
13 that many of those get into our candidates base and should
14 be looked at there, despite the fact that they have not been
15 through the Nuclear Navy power school, nor have they had
16 commercial experience, but they are very viable candidates,
17 and certainly, some of the training, the Chattanooga
18 Training Center, are options of ways to get that experience.

19 I know Ed Jordan and I have talked from time to
20 time, and the Commission has been involved in the question
21 of perhaps even having some people having experience at a
22 utility. The Congress got into that at one point and
23 admonished us and said that that wasn't a good idea, but we
24 were looking for ways to get at the problem that you are
25 describing of how to get people, valued and experienced,

1 without having to go to particular sources.

2 CHAIRMAN JACKSON: I mean, presumably, if we are
3 dealing with issues, particularly as the nuclear plants
4 mature, with things such as digital instrumentation and
5 control systems and power systems, looking at aging issues
6 which involve not just mechanical engineering, but
7 metallurgy and other issues, that even at the bachelor's and
8 master's levels, there are ranges of institutions, including
9 ones represented by any number in the area and within a
10 certain radius, that prepare individuals who can add great
11 value to our regulatory program. Is that correct?

12 MR. BIRD: Yes. I totally agree with that, and I
13 think it takes me back to something that I said earlier
14 about entry level, hiring an intern, hiring.

15 In a tight FTE environment, it is tough to make a
16 commitment to a long training process. If it is a year or
17 two, training involved with getting people up to have that
18 operating experience, for example -

19 CHAIRMAN JACKSON: But I repeat, the operating
20 experience is one part of it.

21 MR. BIRD: That is right.

22 CHAIRMAN JACKSON: But there are a lot of other
23 systems in a plant that have to be understood, evaluated. I
24 mean, in the end, I always draw the analogy of driving a
25 car. I can be a good driver and I can look at the road and

1 obey the speed limit, and I don't talk this way when I am
2 driving on the road, et cetera, but in the end, I am driving
3 a piece of machinery, right? Somebody has to be able to
4 look at and make some statement about it.

5 Commissioner Diaz?

6 COMMISSIONER DIAZ: Yes, just two comments.
7 First, you keep saying the word "operating," and I have many
8 people from the Nuclear Navy who work for me.

9 The majority of them have no operating experience.
10 We have the misconception that people that come from the
11 Nuclear Navy were operators or had operating experience, and
12 a significant majority does not have operating experience.
13 Only electronic mates, you know, had really operating
14 experience or their supervising officers. The rest of them
15 do ont.

16 But something crossing my mind is that we were
17 talking a while ago about preselection, and now we are
18 talking about the Navy and things. Maybe there will be a
19 good cross-correlation, a good point to start.

20 CHAIRMAN JACKSON: That is what I am getting at.
21 That is what I am getting at.

22 [Laughter.]

23 COMMISSIONER McGAFFIGAN: I might just ask,
24 though, from a personnel system perspective, what is the
25 value of veterans preference for an entry-level position?

1 Because the veterans preference and our skill needs are
2 going to lead to the Nuclear Navy, and that is a matter of
3 law, right?

4 MR. BIRD: Yes.

5 COMMISSIONER McGAFFIGAN: If you have two equally
6 qualified candidates and one is a veteran, you are supposed
7 to hire the veteran?

8 MR. BIRD: Yes, if they actually have the --

9 CHAIRMAN JACKSON: But it doesn't say there is a
10 Nuclear Navy --

11 COMMISSIONER McGAFFIGAN: No, but my brother drove
12 tanks, and I don't think he would be particularly good as a
13 candidate for most of our jobs.

14 CHAIRMAN JACKSON: Thank you.

15 Would the National Treasury Employees Union
16 representative like to make any comment?

17 MR. THOMAS: Yes.

18 CHAIRMAN JACKSON: You can go to the podium. That
19 may be the easiest thing to do. Why don't you just talk
20 into the microphone.

21 MR. THOMAS: I didn't have any prepared statement
22 here, but I jotted down a few points I would like to make.

23 We have initiated a program through the National
24 Performance Review to eventually downsize or reduce the
25 level of management, particularly middle management.

1 We are in a situation in this agency where for
2 every two employees that are in the bargaining unit, there
3 is one employee who is excluded. There is a rational reason
4 for excluding managers and supervisors. The big area of
5 exclusion is for confidential employees. A large number of
6 those confidential employees are women and minorities, deny
7 the representation by the union. That is something I
8 believe that particularly in the partnership arena. When a
9 large number of managers and supervisors are no longer
10 involved in any way, shape or form in day-to-day labor
11 policy, a lot of these folks are being discriminated
12 against, and I think the Commission should take a look at
13 that as far as the representational rights.

14 With regard to some of the data that is here, I
15 have been to quite a few of these present, and the data
16 always seem the same to me and always seem to be missing
17 some very, very key factors.

18 We typically take a look at the profile of the
19 agency, the EEO profiles. We ignore information about the
20 profile of our applicants and the profile of the best
21 qualified list. What the supervisor is looking at is
22 particular best qualified list, and if you have a situation
23 of highly qualified individuals where, let's say, 50 percent
24 of that group are women and minorities and 10 percent are
25 the selectees, women and minorities, we have got a problem,

1 but if the data is just presented as far as what we looked
2 like last year and what we look like this year without
3 knowing the profile of the folks that were being considered
4 for those positions, we don't know what we are doing. We
5 are just looking from day to day and hoping that the
6 situation will improve itself.

7 I would hope that somewhere in the process, since
8 we have the system computerized, that we can actually
9 generate that sort of data, so that you can see at
10 subsequent briefings the profile of the candidates, the
11 profile of the best qualified list, and the profile of the
12 final selection list to see if there is something that is
13 unusual going on here.

14 The other thing that to me is a very serious flaw
15 in the data that is being presented on EEO is the issue of
16 equal pay for equal work.

17 I have sent one or two e-mails to some of the
18 Commission regarding our classification system. Our
19 classification system is so old, it is beyond belief. We
20 are using classification standards for computer experts that
21 were developed before the IBM PC was marketed.

22 CHAIRMAN JACKSON: You have about --

23 MR. THOMAS: Two minutes. Okay.

24 If we are going to work the system properly, we
25 need to be able to classify the jobs to where, instead of

1 rating the job relative to the grade level of the person
2 performing it, that a particular job function carries a
3 grade level. That way, the people are being compensated for
4 what they are doing, not just because they are a particular
5 grade.

6 Preselection was an issue that was raised earlier.
7 That has been a long issue. It has been here since they
8 hung up the sign, and I guess there were arguments about the
9 sign hanger being preselected.

10 One of the things that you need to do is to
11 standardize the vacancy system. You are hiring a Grade 14
12 nuclear engineer. If that is standardized where it is very
13 easy for the person to use that standardized announcement
14 and very difficult to deviate from the standard, it makes it
15 difficult to rig the system, and the other factor in
16 preselection is to bar communications between the rating
17 panel and the selecting official, to try to rate one
18 candidate getting on or off the best qualified list.

19 Nuclear Navy issue. I would dispute one point
20 made by Mr. Bird. We have had rating factors that reference
21 the Nuclear Navy. It is rare, but they have occurred. One
22 way of getting an A on this is being in a Nuclear Navy
23 program or something of that type.

24 I think it is an issue. I am not aware of
25 management trying to dictate that as a policy, but I think

1 we have had prior commissioners and EDO that is from the
2 Nuclear Navy, and there is a perception that goes all the
3 way down through management that those are the people we
4 want to hire. I think something does need to be done with
5 that as far as doing a profile.

6 The last thing I would like to mention is a job
7 crediting plan. We have agreed to that, and I think that
8 will help preselection.

9 Thank you.

10 CHAIRMAN JACKSON: Are there any further comments
11 from any of the presenters?

12 [No response.]

13 CHAIRMAN JACKSON: Any further comments from the
14 Commissioners?

15 [No response.]

16 CHAIRMAN JACKSON: In closing, let me thank all of
17 the employees in attendance for your interest and to thank
18 all of the participants for your views, comments, and
19 suggestions.

20 This was a briefing on a complex subject that is
21 designed to ensure that all of our employees are provided an
22 equal opportunity to display their talents and to contribute
23 to the agency's mission, and as we approach the year 2000
24 and face the various challenges and opportunities, I
25 encourage the managers and supervisors to the best of their

1 abilities to evaluate all employees fairly and objectively
2 and to recognize those employees who demonstrate superior
3 performance and to provide opportunities for training and
4 development for all employees.

5 I think that in order to hear more about what you
6 are doing in that regard, as I indicated, I think that in
7 addition to hearing from the panel that is here, we will
8 hear from a number of our office directors at the next
9 briefing. We particularly, then, would like to hear
10 relative to the issues related to preselection to
11 recruitment and to this issue of the development of true
12 managerial skills and the evaluation of them as part of job
13 performance.

14 I would also like to urge all employees to, again
15 -- and you have heard this from me before -- to avail
16 yourselves of various training opportunities, rotational
17 assignments, and developmental opportunities in order to
18 maximize your potential for excellence and for advancement
19 at the NRC.

20 I think the final comment is the whole point of
21 this briefing is that we do not discriminate. We are
22 looking to maximize the potential of all of our employees
23 and to manage diversity in its complete sense.

24 So I look forward to hearing about the progress we
25 have made in this area, in the EEO area, at the next

1 briefing.

2 Thank you.

3 [Whereupon, at 3:30 p.m., the briefing was
4 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 EEO PROGRAM - PUBLIC
MEETING

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Thursday, February 20, 1997

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

Transcriber: Jeanne Malloy

Reporter: Mark Mahoney