

August 29, 1997

SECY-97-197

FOR: The Commissioners

FROM: L. Joseph Callan /s/
Executive Director for Operations

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (EEO) BRIEFING

PURPOSE:

To inform the Commission of the status of the Equal Employment Opportunity (EEO) Program at the NRC.

BACKGROUND:

The Energy Reorganization Act of 1974, as amended, requires the NRC Executive Director for Operations (EDO) to report to the Commission at semi-annual public meetings on the problems, progress, and status of the Agency's Equal Employment Opportunity (EEO) program. For the next briefing scheduled for October 14, 1997, the staff is providing a report that includes EEO accomplishments for the period October 1, 1996, to June 30, 1997 (Attachment 1). In response to the March 7, 1997, Staff Requirements Memorandum (Attachment 2), the report also includes statements by Carl J. Paperiello, Director, Office of Nuclear Materials Safety and Safeguards; Karen Cyr, General Counsel; and Arthur W. Beach, Regional Administrator, Region III; on the

CONTACT:
Irene P. Little, SBCR
(301) 415-7380

Paul E. Bird, HR
(301) 415-7516

implementation of EEO program policies within their respective organizations (Attachment 3). In addition, the report includes a joint statement from the six EEO Advisory Committees that contains status reports of three EEO Subcommittees and a separate statement by the Joint Labor Management Equal Employment Opportunity (JLMEEEO) Committee (Attachment 4). Also included in Appendix A to Attachment 4 are staff responses to recommendations from the Committees and Subcommittees.

DISCUSSION:

A. STATUS OF THE AGENCY'S EEO PROGRAM

Since the last EEO briefing in February 1997, the staff has continued its ongoing assessment of the EEO program within the Agency. As a result of this assessment, **the staff has initiated efforts to update the affirmative action plan** to include requirements established by Equal Employment Opportunity Commission (EEOC) guidance, EEO initiatives developed for regional and program offices, and the affirmative action focus areas that we traditionally report on during our semi-annual briefing of the Commission. This plan will undergird all affirmative action and EEO activities within the Agency and provide the basis for assessing the performance of managers in the EEO area. Our goal is to complete this plan early in the first quarter of FY 1998.

The staff has also renewed its plan to implement a Managing Diversity process in the Agency. This is a process by which the Agency will examine and assess its organizational culture/climate, and modify the Agency's human resource and management system, as appropriate, to effectively manage its culturally diverse workforce and improve regulatory effectiveness. This is a long-term initiative designed to create and maintain an environment in which every employee is valued and will work cooperatively to do his or her best work. The Agency is undergoing mission, resource, and organizational change. The implementation of a Managing Diversity process can assist managers and employees in managing change effectively and in adjusting to a shift in organizational culture by addressing policies, procedures, and practices that either hinder or facilitate achievement of Agency goals. Our goal is to initiate implementation of a Managing Diversity process in the first quarter of FY 1998.

We continue to place a high priority on maintaining an effective EEO complaint process. Our primary goal is to work with managers and employees to eliminate any valid basis for complaints. However, for employees who believe they have been subjected to unlawful discrimination, we maintain a cadre of 34 EEO counselors throughout the Agency. These counselors are trained to work with employees and managers in efforts to resolve issues that could lead to EEO complaints. In June of this year, staff conducted its annual training for the EEO counselors. This training is intended to inform counselors of the latest changes in policies, practices, and EEO case law, and to provide a "lessons learned" forum to improve the overall counseling program. A review of counseling activities to date in FY 1997 indicates a continuing effective program (i.e., of 94 employees counseled, only 8 have filed formal complaints).

Additionally, as part of this overall assessment, **the staff analyzed five years of trend data for women and minority groups in some of NRC's major occupational areas** (Engineers, Health Physicists, Computer Specialists and other administrative positions), utilizing the 1990 census

data and information provided by Oak Ridge Institute for Science and Engineering. While underrepresentation of Hispanics continues in some of our major occupations, representation of women and some minority groups has generally fluctuated from year to year. As an example, for Nuclear Engineers, in FY 1990, Hispanic men were the only underrepresented group, while in FY 1996 only Asian/Pacific American men were underrepresented. For Health Physicists, Asian/Pacific American men and Asian/Pacific American women were the only groups underrepresented in FY 1990, compared to FY 1996 where white women were the only group underrepresented. Because we are dealing with relatively low numbers and, in some cases, there is no representation of some groups in a particular job series (i.e., there are no Native Americans in the Health Physics, Electrical or Mechanical Engineering fields), minor changes in the workforce can significantly alter the representation of a specific group. Underrepresentation of this sort does not warrant focused recruiting of members of particular groups to the exclusion of members of other minority groups. Rather, **we have concluded that a more effective approach is an ongoing outreach and recruitment effort to attract well-qualified women and minority candidates for all groups, to ensure equal opportunity for employment and career advancement.** Training and development programs will be assessed as an integral part of our affirmative action initiatives, as a mechanism to facilitate improving job performance and to provide employees equal opportunity and equal access to training for advancement. We will focus our affirmative action efforts in the following four specific areas:

- (1) Enhancing opportunities for advancement of minorities and women in professional positions.
- (2) Expanding the pool of women and minorities for supervisory, management, executive, and senior level positions.
- (3) Enhancing efforts to attract, develop, and retain disabled employees.
- (4) Improving communication about EEO and affirmative action objectives, improving management responsiveness, and evaluating progress.

During this fiscal year, we have continued our aggressive recruitment efforts to increase the representation of minorities and women in the workforce. (Table 1 shows the demographic profile of the Agency's permanent staff.) Contacts were maintained with member colleges of the Hispanic Association of Colleges and Universities and with Historically Black Colleges and Universities in efforts to recruit Hispanic and African American entry-level employees. Contacts have also been made with the American Indian Service and Engineering Society (AISES) to identify Native Americans for positions at all grade levels. We continue to advertise in technical professional publications as well as on the World Wide Web for both entry-level and higher level positions requiring experience. **The Agency continues to recruit for individuals with disabilities** through monthly advertisements in the journal *Careers and the Disabled* and participation in conferences and job fairs targeting persons with disabilities.

During the first nine months of FY 1997, approximately 100 employees participated in developmental rotational assignments. Staff from the Office of Human Resources (HR) and the Office of Small Business and Civil Rights (SBCR) participated in brokering many of these assignments, and HR continues to publicize rotational assignments in the Weekly Announcements to inform all employees of the opportunities available. To help employees

define their career goals, develop strategies for enhancing career options, and prepare Individual Development Plans, HR continues to provide the Career Counseling Program.

From the beginning of the fiscal year through June 30, 1997, **approximately 25 percent of hires for professional positions were female or minority.** Seven of the 66 individuals hired during this period for professional positions are white women, 49 are white men, three are African American men, four are African American women and three are Asian/Pacific American men. One Asian/Pacific American man was selected for the Resident Inspector Development Program, and one white woman for the Graduate Fellowship Program. Five employees were selected for Senior Level Service (SLS) positions, including two white men, one white woman, one Asian/Pacific American man, and one African American woman. Of 12 employees moving into the SES, eight are white men, one is a white woman, one is an African American woman, and two are African American men. Twenty-five employees moved into supervisory positions: 19 are white men, three are white women, two are African American men, and one is an African American woman. (Tables 2-4 show a demographic profile of SES, SLS, and Supervisors/Managers in the Agency.)

During the last briefing, **the Commission suggested that consideration be given to implementing the SES development and supervisory programs on a more systematic basis in concert with work force needs.** As part of an executive succession planning initiative, Office Directors and Regional Administrators will annually identify SES positions in their offices that they anticipate may become vacant. **The Office of Human Resources will then assess Agency-wide replacement needs and recommend whether the SES Candidate Development Program should be offered. A similar assessment will be made regarding activation of the Supervisory Development Program.** (A more detailed summary of EEO accomplishments since September 30, 1996, follows in Attachment 1.)

B. RESPONSE TO THE MARCH 7, 1997, STAFF REQUIREMENTS MEMORANDUM

Following the last briefing on February 20, 1997, the Commission requested, through a Staff Requirements Memorandum, that the next Commission briefing include a presentation by Office Directors on implementation of EEO program policy. **Specifically, the Commission requested that the Office Directors address topics concerning preselection, development of management skills, and evaluation of those skills as part of job performance.** In response to this request, three Office Directors have provided statements as part of this report, and will address implementation of EEO policy within his or her respective organization during the Commission briefing. Additionally, the staff has reviewed the issues of preselection, development of management skills, and evaluation of these skills as part of job performance. A brief discussion on each issue follows.

Preselection

We understand the staff's concerns about preselection, especially as they relate to merit selections. While NRC follows merit staffing policies and procedures included in Management Directive 10.15 and applicable portions of the Collective Bargaining Agreement, apparently some employees remain skeptical as to the fairness of this system. In an effort to respond to these concerns, **HR has expanded its review of vacancy announcements, including the rating factors, to ensure that the factors are not too narrowly crafted but are as broad as**

the requirements of the position will permit. Also, explanatory language is now added to all vacancy announcements to assist applicants in addressing the rating factors. This practice should yield a broader, more diverse range of applicants for many positions.

We have recently launched an agency-wide initiative to revise position descriptions (PD) to ensure that they accurately reflect the current duties and responsibilities of the positions. This should help eliminate any inconsistency between rating factors/rating criteria and job duties. Furthermore, in order to address the specific areas which impact the perception of preselection, based on recommendations from the Selection Subcommittee, **we have adopted a merit staffing checklist to assist management officials in thinking through the merit selection process in the early stages, so that selection criteria are not unduly restrictive and candidates are able to compete in a fair and equitable manner.** (A more detailed explanation and a copy of the checklist are contained in Attachment 4.)

Management Skills

The Agency recognizes the major role that line managers play in implementing EEO program policies and in achieving EEO goals. **We have instituted several agency-wide initiatives to develop management skills.** For instance, since December 1996, HR has been offering a course, "Effective Management Participation in Merit Staffing," that provides information about merit staffing policies and procedures. This course, which has been presented five times at Headquarters and three times at Regional Offices, includes guidance for selecting officials in providing constructive feedback to nonselected job candidates. The course has been attended by supervisors and employees involved in the selection process as well as by representatives of the EEO Advisory Committees. The Agency intends to continue offering this course so that supervisors and rating officials can be more knowledgeable about merit selection procedures and are better prepared to provide constructive feedback to job candidates.

Two years ago, **the Agency instituted an annual continuous learning requirement focused on improving managerial knowledge, skills, and abilities.** This year **HR and the Office of the Chief Financial Officer (CFO) are developing a curriculum to enhance the program and resource management skills of NRC supervisors and managers.** Similarly **HR and the Office of the Chief Information Officer (CIO) will be developing an information technology curriculum for executives.** Another initiative, Executive Succession Planning, will be used to identify and assess the management skills and competencies needed for successful executive performance. The Agency will initiate appropriate planning to ensure that there is a cadre of highly-qualified replacements for higher level executive positions, as well as continue to invest heavily in management and executive development through participation in such programs as the Women's Executive Leadership Program, the Supervisory Development Program, the SES Candidate Development Program, the Supervisory and Managerial Development Curriculum, the Federal Executive Institute, and the Management Development Centers. The Office of Human Resources continuously assesses executive staffing needs to determine the appropriate time to offer another SES Candidate Development Program and Supervisory Development Program.

Evaluation of Management Skills as Part of Job Performance

Evaluation of management skills as part of job performance is accomplished institutionally through the performance appraisal process. Performance evaluation is an ongoing process, which

as a minimum requires the establishment of performance elements and standards at the beginning of the appraisal period, a mid-year performance review discussion, and a formal discussion at the conclusion of the appraisal period when appraisals are completed and conveyed by executives and managers to their subordinate supervisors. For Senior Executives, management effectiveness, including effectiveness in accomplishing EEO goals and objectives, has been a critical element in performance plans throughout the Federal government since the implementation of SES performance plans in 1979. **This year at the NRC, performance elements and standards for evaluating executives were extensively revised to reflect more emphasis on contributions to organizational effectiveness as well as outcomes achieved.**

C. ACTIVITY OF THE EEO ADVISORY COMMITTEES

The staffs of SBCR and HR worked closely with members of the six EEO Advisory Committees and the JLMEEEO Committee to reach consensus on three areas of primary concern to the EEO Advisory Committees. These areas are: (1) the perception of preselection, (2) implementing a managing diversity process, and (3) monitoring the programs which are already in place to facilitate equal employment opportunity. Three Subcommittees of the Advisory Committees agreed to review and report on these three areas. Since the last Commission briefing, **the Advisory Committees, the Subcommittees, and the JLMEEEO Committee have made considerable progress in the review of these issues and have developed several recommendations for consideration by Agency management.** Some of these recommendations have been adopted, others require further review, and some will not be adopted at this time. Significant recommendations agreed upon for implementation are:

- (1) Utilization of a merit staffing checklist designed by the Selection Subcommittee to assist management officials in addressing the steps in the merit selection process to assure that selection criteria are not unduly restrictive and that candidates are considered in a fair and equitable manner.
- (2) Implementation of a managing diversity process. The Managing Diversity Subcommittee supports the Agency's goal to effectively manage a culturally diverse work force as it adjusts to mission and resource changes and improves regulatory excellence.
- (3) To the extent possible, continuation and enhancement of initiatives and programs, such as the SES Candidate Development Program, Computer Science Development Program, the Intern Program, which are designed to support the Agency's mission through development of its employees.
- (4) Publication of additional information for all employees on the merit staffing process, including guidance for addressing rating factors and a contact person from HR to answer questions regarding the process.

A complete list of Committee and Subcommittee recommendations are included in Attachment 4.

L. Joseph Callan
Executive Director
for Operations

- Attachments:
1. EEO Accomplishments for the period October 1, 1996 to June 30, 1997
 2. March 7, 1997, Staff Requirements Memorandum
 3. Statements by Carl J. Paperiello, D/NMSS; Karen Cyr, OGC;
and Arthur W. Beach, RGN-III/ORA
 4. Joint Statement by EEO Advisory Committees and their three Subcommittees, a
Statement by the Joint Labor Management EEO Committee, and
Staff Responses to Committee and Subcommittee Recommendations

1. ENHANCING OPPORTUNITIES FOR RECRUITMENT/ADVANCEMENT OF WOMEN AND MINORITIES IN PROFESSIONAL POSITIONS

The Agency utilizes various methods of advertising to recruit for entry level and higher level positions requiring work experience. In coordination with the National Association of Colleges and Employers, we advertise for entry level engineers and scientists through a network that extends to 1600 colleges and universities nationwide. Additionally, recruitment brochures and job applications are furnished to career service offices at 170 colleges and universities (including several colleges having significant minority enrollment).

For minorities and women with work experience, vacancies are announced through the Federal Research Service, the Office of Human Resources (HR), and on the World Wide Web, as well as in journals and newspapers.

More than 50 employees were enrolled in the three developmental programs for secretaries, clerical employees, and administrative assistants. HR provided career guidance and IDP assistance to several of these employees.

NRC participated in the Women's Executive Leadership (WEL) Program, a developmental program that helps prepare high-potential Federal employees at the GG-11/12 level for future leadership positions. During this period NRC supported two white women and two Hispanic men in the WEL Program. Two white women and one African American woman were selected in June for the 1997-1998 WEL Program.

During the first nine months of FY 1997, 66 employees were assigned or hired into professional positions. Included in that number are 7 white women, 49 white men, 3 African American men, 4 African American women and 3 Asian/Pacific American men.

During FY 1997 we completed selections for rounds two and three of the Resident Inspector Development Program. A total of twenty-two selections were made (ten in the first round and twelve in the second round). All selectees are white male. In an effort to attract more women and minorities for this program, round three included advertisements in *MAES*, *Minority Engineer*, *Women Engineer*, *Society of Women Engineers*, *Power Engineering and Nuclear News*. Future advertisements will appear in *Hispanic Engineer*, *U.S. Black Engineer*, *Winds of Change*, *Diversity and Careers in Engineering*, *Journal of the NTA* and *NSBE Journal*.

In FY 1997, the Agency recruited for the NRC Graduate Fellowship Program. Thirty-nine eligible candidates applied (24 white men, two white women, one Hispanic man, three African American women, two African American men, two Asian/Pacific American women, one Asian/Pacific American man, one Native American woman and three men who did not self identify); of the 39, 11 (eight white men, one white woman, one Asian/Pacific American man and one Asian/Pacific American woman) were selected for in-person interviews with NRC officials (one white man declined to be interviewed). Of those interviewed one white woman and one white man were selected.

To date, we have attended three recruitment events to attract Native American applicants. These events were sponsored by colleges and universities or regional chapters of the American Indian Science and Engineering Society (AISES). On April 11-13, 1997, we attended the 1997 Region IV AISES

Conference in Rochester, New York. We will attend the Annual AISES Conference in November of this year. Advertisements were placed in four journals targeting Native American candidates.

We have contacted a local representative of AISES to explore cooperative education program possibilities. Given the relatively small population of Native Americans in engineering and science, our strategies for the upcoming year will focus strongly on development of our relationship with AISES and individual contact with Native American students and professionals. In addition, we have obtained a list of universities with high percentages of Native American engineering graduates and will add them to our recruitment schedule starting in the Fall of 1997. We also plan to send the universities recruitment material and place advertisements in their campus publications.

We attended 13 recruitment events to attract Hispanic applicants. These events were sponsored by colleges and universities or regional chapters of the Society of Hispanic Professional Engineers, the Hispanic Association of Colleges and Universities, the National Association of Hispanic Executives (NAHFE), or other Hispanic organizations. The primary goal of NAHFE is to enhance opportunities for Hispanic Americans to serve in high level positions in the Federal sector.

Data provided by the Engineering Workforce Commission of the American Association of Engineering Societies helped us to identify other colleges with a high number of Hispanic engineering graduates. We are targeting these schools for recruitment through campus visits, mailings, and advertisements placed in campus publications.

For entry-level professional positions, we are recruiting at educational institutions that are members of the Hispanic Association of Colleges and Universities (HACU), Historically Black Colleges and Universities (HBCU), and at campuses with significant diversity among their graduating engineers and scientists. Women and minority professional employees serve as members of recruitment teams. Recruitment visits include attendance at career fairs as well as networking with engineering and science faculty and societies on campus.

Oak Ridge Institute for Science and Education (ORISE) sent NRC Graduate Fellowship Program information to students and faculty from the NRC HBCU Faculty/Student Research Participation Program. Included in this list are students who may have an interest in health physics and nuclear engineering. Additionally, a direct national mailing was made to more than 600 science and engineering faculty at HBCUs and HSIs. Program announcements were sent to the campus newspapers and placement offices. Presentations, including discussion of the NRC Graduate Fellowship Program, were made to the Nuclear Engineering Department Heads and to Academic Directors of Health Physics Programs.

2. EXPANDING THE POOL OF WOMEN AND MINORITIES ELIGIBLE FOR SUPERVISORY, MANAGEMENT, EXECUTIVE, AND SENIOR LEVEL POSITIONS

The pool of women and minority employees eligible for supervisory, management, executive, and Senior Level positions decreased from October 1, 1996 to June 30, 1997. The number of women in grades GG-13 through GG-15 decreased from 431 to 425, but minorities at the same grade levels increased from 345 to 346.

As of June 30, 1997, the number of women in the Senior Executive Service (SES) increased 13% to 17 and the number of minorities in the SES increased 25% to 15. Also as of June 30, 1997, the total number of employees in Senior Level Service (SLS) positions was 40, including 29 white men, 4 white women, 1 African American man, 1 African American woman, 3 Asian/Pacific American men, 1 Asian/Pacific American woman and 1 Hispanic woman.

The Executive Resources Board Group continued its activities during FY 1997, reviewing Best Qualified Lists for 11 GG-15 positions, one SLS position, and 12 SES positions and bringing to the attention of Office Directors and Regional Administrators their responsibility to ensure that selecting officials provide appropriate consideration to well-qualified minority and women applicants.

3. ENHANCING OPPORTUNITIES FOR ATTRACTING, DEVELOPING, AND RETAINING DISABLED EMPLOYEES

We continue to recruit for persons with disabilities. During this fiscal year, contacts were made with potential applicant sources including the President's Committee on Employment of People With Disabilities (Internet), Job Ready Disabled Veterans Connection, "Able Beneficiaries' Link to Employees," Job Accommodation Network, National Association of the Deaf, National Information Center on Deafness, American Foundation for the Blind and the Lighthouse, Inc. Advertisements were placed in professional magazines and newspapers. Several applications were received from various sources. These applications are referred to appropriate program offices for consideration as vacancies occur.

NRC continues to participate in job fairs and attend conferences for persons with disabilities. Vacancy announcements are sent to colleges and universities and state rehabilitation service offices. We continue to provide developmental opportunities for persons with disabilities by facilitating their participation in technical and management training. Individual Development Plans are developed for persons with disabilities as part of the Agency's career counseling program.

The Program Coordinator who serves as the primary contact for employees with disabilities also serves as liaison with other NRC offices to provide reasonable accommodation services when

1-3

required by persons with disabilities. During FY 1997, the Agency undertook a variety of actions which directly benefitted employees with disabilities. These actions include:

- o Installation of automatic door opening devices in OWFN and TWFN
- o Modification of bathrooms in TWFN
- o Purchase of 7 ergonomic chairs, 6 ergonomic keyboards, 8 ergonomic wrist pads, three 17" computer monitors for visually impaired employees, and 1 TTY service for a hearing impaired employee.

4. IMPROVING COMMUNICATION ABOUT EEO AND AFFIRMATIVE ACTION OBJECTIVES, IMPROVING MANAGEMENT RESPONSIVENESS, AND EVALUATING PROGRESS

The Deputy Executive Director for Management Services accompanied by the Director of SBCR, the Director of HR, and the Director of Administration visited Region III which was the first of four planned visits to the Regional offices. The purpose of the visit was to discuss goals and objectives of the three offices. Meetings were held with the Regional Administrator and principal staff and with all employees.

The Director, SBCR, met with all office directors and has started meeting with division directors to discuss the goals and objectives of the Agency's EEO program, and ways to support the specific goals. The Director, SBCR, also visited Region I and discussed EEO initiatives/goals and ways to achieve these goals.

During the first six months of FY 1997, SBCR and the EEO Advisory Committees sponsored several special events and exhibits to communicate and publicize contributions made by women and minorities. Speakers included Dr. Carolyn Smiley-Marquez to celebrate the heritage and rich culture of the Native Americans during Native American Heritage Month; Dr. Dennis Kimbro to commemorate the life of Dr. Martin Luther King, Jr.; Ms. Gwendolyn Boyd to celebrate national Black History Month; Dr. Audrey Nelson-Schneidner along with a dramatic presentation of Sojourner Truth's speech by Ms. Janie Taylor to commemorate national Women's History Month; and Dr. Susan Bean along with the Manipuri Dancers to celebrate Asian Pacific American Heritage Month. Poster exhibits were featured for each of these events as well as for National Hispanic Heritage Month, Women's Equality Day, and National Disability Awareness Month.

Career awareness seminars were sponsored in December 1996, and in April 1997. SBCR, the Hispanic Employment Program Advisory Committee, and the Office of Nuclear Materials Safety and Safeguards jointly sponsored "Career Strategies" seminars, which provided participants with the tools necessary to "Manage Multiple Priorities." In June 1997, SBCR sponsored a career seminar focusing on the skills needed to "Strive and Survive" in today's market.

1-4

The Federal Women's Program Advisory Committee held an employee constituency meeting in January 1997 to provide an overview of the Committee's role and responsibilities, to introduce the committee members, and to identify employee concerns. The regions participated in this meeting via conference call. As a result, all Advisory Committees are soliciting input from and interacting on a regular basis with regional liaisons. Three EEO subcommittees were formed to address specific areas of concerns jointly identified by the seven EEO Advisory committees. The specific concerns are merit staffing, performance monitoring, and managing diversity. The three subcommittees have worked closely with SBCR and HR to gain a better understanding of the Agency's human resources/EEO/Affirmative Action programs, policies, and procedures; to gain consensus in addressing issues; and to provide management with recommendations in support of the

Agency's goals. Recommendations from the three subcommittees are included in Attachment 4 along with the staff responses to these recommendations. To ensure understanding and sufficient communication of the subcommittee issues and subsequent recommendations, the EEO subcommittees will host an employee meeting to share the results of their joint efforts later this fiscal year.