

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BRIEFING ON EEO PROGRAM

PUBLIC MEETING

Nuclear Regulatory Commission
One White Flint North
Room 1G-16
Rockville, Maryland

Wednesday, July 31, 1996

The Commission met in open session, pursuant to notice, at 2:07 p.m., Shirley A. Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

SHIRLEY A. JACKSON, Chairman of the Commission
KENNETH C. ROGERS, Member of the Commission
GRETA J. DICUS, Member of the Commission

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STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

PAUL BIRD, Director, Office of Personnel
PETER BLOCH, Affirmative Action Advisory Committee
JOSE IBARRA, Hispanic Employees Program Advisory Committee
SUBINOY MAZUMDAR, Asian Pacific American Advisory Committee
REGINALD MITCHELL, Advisory Committee for African Americans
LARRY PITTIGLIO, Joint Labor-Management Equal Employment Opportunity Committee
ROXANNE SUMMERS, Federal Women's Program Advisory Committee
JAMES TAYLOR, EDO
EDWARD TUCKER, Director, Office of Small Business and Civil Rights
LAWRENCE VICK, Committee on Age Discrimination

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P R O C E E D I N G S

[2:07 p.m.]

CHAIRMAN JACKSON: Good afternoon, ladies and gentlemen.

I could say I know what everyone is interested in. Our briefings are never this full.

[Laughter.]

CHAIRMAN JACKSON: The Commission is meeting today to discuss the status of the Agency's Equal Employment Opportunity Program, with particular focus on the status of Agency efforts during the first half of fiscal year 1996.

As you know, Section 209 of the Energy Reorganization Act of 1974, as amended, requires that the Executive Director for Operations report on the status of NRC EEO efforts as well as any problems and progress associated with those efforts at semi-annual public commission meetings. The last Commission meeting on EEO matters was held on December 14, 1995.

Today's meeting will include a discussion by the staff of the NRC EEO efforts and, as has been our practice, a discussion of issues identified by the various EEO advisory committees.

I welcome each of you and each of you in the audience who, through your attendance, display your commitment to helping the NRC continue to strengthen its EEO

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activities. Before the staff begins its presentation, let me share the following thoughts.

Each of us is aware that, at a time of government-wide budget reductions, streamlining and downsizing, it is important that the NRC effectively utilize its human

resources and that it maintain an environment where all employees can contribute their unique skills and talents toward achieving the Agency's mission. Managers and employees need to work together toward that end.

Supervisors must be fair and objective in rating their employees and in identifying employees whose sustained performance merits special recognition, regardless of race, gender, national origin, age or disability. Employees should continue to seek training, rotational and other developmental opportunities to broaden and to enhance their performance.

I commend the staff and the EEO advisory committees for their dedication and look forward to hearing more about the activities and issues so aptly described in the paper. I am particularly interested in hearing about the process by which any unresolved EEO advisory committee concerns will be addressed.

Commissioner Rogers, Commissioner Dicus?

COMMISSIONER ROGERS: I have no comments.

CHAIRMAN JACKSON: Commissioner Dicus?

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COMMISSIONER DICUS: No.

CHAIRMAN JACKSON: If you have no comments, Mr. Taylor, you may proceed.

MR. TAYLOR: Good afternoon.

With me at the table, on my right, are Paul Bird of the Office of Personnel, on my left Ed Tucker, the Acting Director of the Office of Small Business and Civil Rights. Also at the table are the chairs and representatives of the various advisory committees, the EEO advisory committees, and I will now ask Ed Tucker to introduce those persons.

MR. TUCKER: Thank you, Mr. Taylor.

On my far left is Mr. Reginald Mitchell, who is the Chair of the Committee for African Americans. Next to him is Mr. Jose Ibarra, Chair of the Hispanic Employees Program Advisory Committee. Next to him is Ms. Roxanne Summers, who is Chair of the Federal Women's Program Advisory Committee. And next to her is Mr. Larry Vick, who is Chair of the Committee on Age Discrimination.

On my far right is Mr. Larry Pittiglio, who is the Co-Chair of the Joint Labor-Management EEO Advisory Committee. Next to him is the spokesperson for the Affirmative Action Advisory Committee, Mr. Peter Bloch. Next to him is Mr. Subinoy Mazumdar, Chair of the Asian Pacific American Advisory Committee.

MR. TAYLOR: Thank you, Ed.

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I would note that today's briefing marks a departure from previous briefings and is primarily a six-month status update. Therefore, we will not look at detailed statistics and data analyses but, instead, will provide a brief status report on progress made in achieving the Agency's EEO goals and Affirmative Action objectives during the first half of this fiscal year.

The information paper you received prior to this briefing provided you with an update in six areas on which the Agency has been focusing: Enhancing opportunities for recruiting Hispanic employees, enhancing opportunities for recruiting women and minorities in professional positions, expanding the pool of women and minorities for supervisory, management, executive and senior level positions, improving opportunities for attracting, developing and retaining disabled employees, finding training and developmental opportunities and improving communication about EEO and Affirmative Action objectives and evaluating progress made.

The paper also provided you with the staff response to the Commission's question following our last EEO brief as well as demographic data and statements from the advisory committees.

You may recall that the committees prepared a joint statement last year containing nine common goals. These were published in the December 1995 EEO information

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paper. You asked the staff to respond to these nine common goals, which we did in April, and a copy of our response was included in our most recent July 10, 1996, information paper.

The EEO advisory committees have agreed that some of these common goals have been reached and wish to work collaboratively to realize some of the other goals that are of particular importance to them.

In a few moments, Ms. Roxanne Summers, Chair of the Federal Women's Program Advisory Committee, will speak

on behalf of all of the committees on their collective agenda and plan. I am pleased that the committees have agreed to work cooperatively on common issues.

At the December 1995 meeting, I said I would look into whether Asian Pacific Americans who appeared on the best qualified lists were being overlooked in selections for high-graded positions. Paul Bird will address our findings on that matter at the end of my remarks.

I also wanted to take this opportunity to convey to you that despite our downsizing efforts since 1992, in most instances, the proportion of minorities and women hired and selected for various positions and programs has continued to increase. For example, since the end of fiscal year 1992, total staff has decreased by 9.9 percent but representation of women and minorities in professional

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positions has increased by 8.8 percent. Similarly, since the end of fiscal year 1992, staff at grades 13 to 15 has decreased by 2.4 percent but women in this group have increased by 13.6 percent. African Americans in this group have increased by 12.7 percent, Hispanics in this group have increased by 20.7 percent, Asian Pacific Americans have increased by 9 percent and Native Americans in this group have remained the same.

It will continue to be a challenge, as you noted, Chairman, in times of downsizing and budget and FTE cuts to improve our representation of women and minorities as employees but I believe everyone at this table is committed to doing just that.

Paul Bird will now continue with findings relative to the Asian Pacific Americans on the best qualified list. Paul?

MR. BIRD: Thank you, Mr. Taylor.

As Mr. Taylor mentioned at our last EEO briefing in December, a concern was raised regarding Asian Pacific Americans being overlooked in selections for higher-level positions, especially those positions at grade 14 and above. We have taken a look at this issue and I would like to convey our findings at this time.

In a broad context, approximately 55 percent of the Agency staff is now at grade 14 and above. In

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comparison, approximately 72 percent of all Asian Pacific Americans at the NRC are at those grade levels. In FY '96 through July 18, Asian Pacific Americans were on the best qualified lists for 16 NRC competitive positions at grades 14 and 15. Of these 16 opportunities to select, four Asian Pacific Americans or 25 percent were selected. Only one of these 16 opportunities was for a supervisory position, however. One Asian American was among the best qualified for that opportunity but was not selected.

Also in this same time frame, there were no SES positions posted for which Asian Pacific Americans were among the best qualified. There were two senior level service selections made during this time and, although Asian Pacific Americans were on the best qualified lists for those positions, they were not selected.

In this review, we found that Asian Pacific Americans appear to be receiving appropriate consideration for higher-level positions and that during the first part of fiscal year 1996, several Asian Pacific Americans have been selected for a number of these positions.

We certainly will continue to monitor, work with SPCR and with the Asian Pacific American Advisory Committee to ensure that Asian Pacific Americans in the NRC continue to receive full consideration for all our positions at all levels.

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That concludes my remarks at this time and I will return the program to Ed Tucker.

MR. TUCKER: Thank you, Mr. Bird.

One of the primary goals of the Agency's Equal Employment Opportunity Program is to identify well-qualified minorities and women that can compete for positions and contribute to programs and activities relative to the mission of the Agency.

Although we have a legitimate interest in increasing the participation rate of underrepresented minorities and women, we are cognizant of the need to develop policies and initiatives that are the least intrusive and do not harm the rights of any interest group. As Mr. Taylor indicated, we are pleased that, during these times of downsizing and the reduction of the supervisor to

employee ratio, we have still been able to make some progress, especially with regard to recruitment of minorities and women for important developmental initiatives such as the Nuclear Reactor Regulation Reactor Intern Program, the Graduate Fellowship Program and the Resident Inspector Development Program.

We have been working closely with the constituency group committees over the past several months and, as Mr. Taylor further indicated, we are pleased with the efforts of the committees to form joint working groups to

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review various generic issues and attempt to develop strategies and recommendations that will take into consideration the interest of all groups.

Finally, I would like to say that the staffs of SBCR, Personnel and OGC have completed what we termed "town meetings" with headquarters and regional managers and supervisors for the purpose of discussing the overall EEO program goals and objectives, lessons learned and the responsibilities of managers and supervisors in assisting to implement the program. We feel that this type of dialogue is extremely beneficial to the staff and we plan a new round of meetings, possibly commencing during the fall of this year.

At this time, we will have comments by Ms. Roxanne Summers, who is representing the various EEO committees.

MS. SUMMERS: Thank you, Mr. Tucker, and thank you for having us here today. It is a pleasure to speak on behalf of the EEO committees and on behalf of FWPAC. It is a pleasure to see so many women on your side of the table. I notice that you outnumber those on this side of the table.

CHAIRMAN JACKSON: That is only temporary.

[Laughter.]

MS. SUMMERS: The package that you have before you contains a joint statement on behalf of all of the committees as well as a separate statement from each

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individual committee and that does represent the way that we have begun to work together more closely. We do feel that the issues most of the time don't concern just one group but are common issues not only to women and minorities but sometimes to all employees and so we feel that proceeding this way with a joint statement, I think the last briefing that you had was the first time we collaborated like that, we feel this is a positive step and is reflective of the way we are working together.

You heard Mr. Tucker speak and I think Mr. Taylor also mentioned that we are setting up joint working groups where members from each of the committees will work together to look at certain issues that we think are important.

The first three issues that we have chosen are the issue of pre-selection, the issue of diversity in communications training, the issue of performance monitoring. We will start with those. We will also discuss a paper written by Clarice Nizer on reviewing job functions as a result of enhanced information technology capabilities. In other words, really, what does the advent of computers mean for many of our employees.

So, as we have been working closely together, we have, however, resisted the effort to make us into one joint diversity committee for two reasons. We do feel that we have -- we do this work mostly on our own time, as much as

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we possibly can and, due to work loads and other job responsibilities, there are only a few people who can actually work on any given issue at one time. We feel that if we are combined into one committee, that will probably result in fewer members and fewer bodies actually to do the work. That is one reason. But we also feel that we would miss some of the representation that we have on the issues that are important to each of the individual committees. If we only had one or two members representing those committees, we might not have as broad a representation on the issues as we think would be valuable. So we would like to keep our separate committees even though we are working much more closely together.

We do welcome the new spirit of cooperation with the Office of Small Business and Civil Rights and with the NRC staff and we look forward to working with them to find some solutions to the issues I have mentioned and the issues that you find in these papers. I might add, I was asked to say that the union shares the opinions that we expressed in our joint statement and also on behalf of FWPAC, we strongly

support the joint labor/management statement that you find in your package.

So I thank you for this opportunity and we welcome any questions. All of the committee chairmen will respond individually.

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CHAIRMAN JACKSON: Well, my initial questions probably are directed more to the staff.

You have a chart, it is 1.3, which shows no minority females in SES positions. Can you just tell me a little bit about how this is being addressed, if at all, or what you think the prospects are for improving or increasing, having some number show up.

MR. BIRD: I certainly believe the prospects are good and that in the future that might not be the data that is showing. I certainly know that the pool of women, including minority women, that are available now for competition to SES positions and that are included in the SES candidate development pool represent a good opportunity for this agency to look at those candidates, they are very viable candidates and, in my view, I don't believe that will continue to be a statistic that does not reflect that minority women are included in the SES ranks.

CHAIRMAN JACKSON: let me ask another question. On page 5 of the paper, you have some limited data on EEO complaints and, I guess, since we are talking the statistics of small numbers, the question becomes what conclusion do you feel the Commission should draw from the comparison of five complaints being filed during the six months versus 18 during FY '95 with 12 complaints being held in inventory pending a final disposition? Are there any pending

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complaints behind the statistics here that could lead to any grievances or lawsuits or is that something you can talk about?

MR. BIRD: Ed is probably in a better position to speak to that in terms of formal complaints. I can say before Ed speaks there are some complaints that we work with SBCR on that come in through the institutional grievance procedure and we are treating some complaints that aren't reflected in that statistic through that process. But I think Ed could speak to the chart itself.

MR. TUCKER: Well, I think that is an accurate statement.

The process is that if an individual feels that there is a problem associated with some personnel action, they must consult an EEO counselor and be counseled by that individual. Following the counseling process, which lasts up to 30 days and could be extended for an additional 60 days based on the approval of the office of SBCR, the person gets a notice of final interview and at that time the individual could file a grievance and raise the EEO issue under the grievance process or they could file a complaint under Title VII.

So there are some grievances or complaints that are under the grievance process that don't show up in these statistics. We have, I think, at this point about eight

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complaints. This data in the paper just shows up to March 31 the information on complaints but currently we have about eight formal complaints in the works.

CHAIRMAN JACKSON: Let me ask you another question. On page 6, you indicate that non-selected job candidates can contact various sources such as personnel specialists, supervisors or career counselors to get constructive feedback in terms of performance and what they might do to make themselves more competitive. How often and when are employees reminded of these avenues and how successful have they been in the past?

MR. BIRD: Well, let me --

CHAIRMAN JACKSON: And then the next question is, do the personnel specialists and supervisors receive any training in job counseling of this sort?

MR. BIRD: Let me answer the last question first. Our training programs for supervisors do include segments on providing feedback to employees, how to provide feedback, what feedback is appropriate, how to communicate with regard to selections and so forth.

In addition, in our town meetings, we have addressed those issues with the managers. We talked to individual managers quite often, we, SBCR and OGC, about how to communicate back the results or questions that might come up relative to selections or grievances or promotions or

anything of that nature.

CHAIRMAN JACKSON: Is this done in an ad hoc manner or is it on a systematic basis.

MR. BIRD: It is done more on an ad hoc manner. We have not put out formal guidance to employees or to managers and supervisors recently, although some of that guidance is included in training materials. But we do plan to do that; we plan to notify the employees and remind them of these sources of information and encourage them to tap these sources and that would include, as you mentioned, the personnel management staff associated with a particular job, selecting officials, rating panel members, in order to try to obtain constructive feedback.

I think the word "constructive" is very important because that certainly would be the effort to try to enhance the chances that those employees getting that feedback could do things that would suggest that they might be better candidates for the next job that might come up. We are planning to do that. We are planning some additional efforts with the managers and supervisors specifically with regard to this. I think that is very important and Ed and OGC staff and we have talked about means of being able to go out and advise the managers on how to respond.

We are also going to do something further in that regard and that is talk with OPM and other federal agencies

and perhaps even some private sector employers about how they do this, about how do they communicate these things back, particularly to employees who are not selected for jobs. We hope out of that we will be able to consider some best practices and then perhaps institute or plan to develop a limited pilot program which would call on selecting officials to provide constructive feedback to nonselective job candidates who are on the best qualified lists, particularly at the beginning, because this could become negotiable later on, for non-bargaining unit positions. Then, based on that pilot program, if this is constructive and if it is helpful and worthwhile, I would suspect we would want to expand on that.

So we are going to move out proactively to try to address this. I know we are planning to meet with the EEO committees to discuss ways to do this. My staff will certainly be involved in that effort on the things that Roxanne mentioned and hopefully out of that, we will be able to develop something that is a means of getting constructive feedback as a result of this process.

CHAIRMAN JACKSON: Let me ask you this, does the Office of Small Business and Civil Rights participate on the Executive Resource Board Review Group?

MR. TUCKER: No. Well, let me clarify that. Barbara Williams, who is the Federal Women's

Program Manager and Affirmative Action person, she does serve as the secretary, I believe, on that particular review group but we do not have a participant as such on that particular board.

CHAIRMAN JACKSON: Has any consideration been given as to whether SBCR should participate?

MR. BIRD: Well, I believe Barbara does participate quite often as do members of my staff. Certainly, they are encouraged at all times. That is not something I think would present any problem having them there or having them participate, quite frankly.

MR. TAYLOR: We will give you more on that, too. We will follow up on that.

CHAIRMAN JACKSON: That would be helpful.

Tell me a little more about what you are doing in terms of monitoring training programs to improve programs for employee development and also what you are doing relative to expanding opportunities for the disabled.

MR. BIRD: Okay. Let me speak to training first of all.

Certainly, training has been and will continue to be evaluated on a regular basis. Even the development of a training course, we will elicit feedback from office staff with regard to the nature of what we are hoping to accomplish in the course. We will then develop the course

from that. Quite often, we will pilot the course, invite a cross-section of people from the agency to participate and give us comments and then, most often, we will revise a course based on that input.

After the course is presented, we are sort of continually monitoring, getting an evaluation at the completion of the course, looking at the evaluations and tweaking the course appropriately based on those evaluations. I might say we also look at training larger -- longer training programs such as our candidate development programs and did quite a bit of revamping of that program when we reintroduced it in 1993.

In addition to that, we had previously been participating in a program known as the executive -- what was the name of that -- Executive Potential Program, which was an OPM sponsored program to develop supervisors. We assessed that to the point that we felt, based on feedback from those that participated as well as those managers who were recipients of people who attended that training that it was not effective training.

We subsequently dropped out of the participation in that program and developed our own supervisory development program which I think is a much better and more viable program and I guess the feedback that we've gotten so far would support that, to really train managers for the

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NRC.

I think those developmental opportunities are certainly a suggestion of how our training is being monitored.

There is one thing we are planning to do that I think may be responsive to your interest and that is, in addition to those things I have mentioned, we are planning, for some programs, training programs, after about three months do a followup with both the employees who participated and the managers who are the recipients or the beneficiaries of the training to see how well that worked. Was this effective, did the employees gain better skills, are they better able to do their jobs as a result of the training? And, hopefully, based on the feedback from both the manager who was the recipient and the employee who participated, we can do refinements for that.

I don't believe as many courses we give we can do that for every course but that was certainly the key ones and the key programs. That is how we would plan to approach and address that in the future. We're getting sufficient feature to know there is a payoff, there's a bottom line associated with having given these training opportunities.

CHAIRMAN JACKSON: Then opportunities for the disabled?

MR. BIRD: Yes. As you recall, the last time we

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met there was a question as to why the percentage of disabled that had self-identified in the Agency had dropped. I suggested at that time that perhaps we should resurvey. That particular program or that identification is based on a confidential entry that employees volunteer to us. We do hold that confidentially and we do it periodically to update our records. Of course, as a result of that, our number increased from 172 to 205, which is basically a 19 percent increase in those who self-identified. But we also know that there are disabled employees who don't self-identify. Either they didn't fit the categories that were shown on the particular identification form or they don't choose to voluntarily do this.

We are trying to be more proactive in addressing disabled employees in general. We are developing and we had out about two years ago a brochure that listed a whole variety of things that we were doing on behalf of disabled employees. We have updated that. That is about to be republished and, certainly, I think that will be something that will be useful to employees and managers to know the resources that we make available.

Maybe I should just mention a few of those that we have been involved with. One was the placement of key card boxes to make sure that we can accommodate disabled. The delay times on the doors, as you might have noticed, have

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been changed and the elevators have been changed. Ramps, we have added ramps, allowed parking spaces near elevators. Those are some of the more common things.

I think, beyond that, there are some things that might not be well known. We have provided special equipment including wheelchairs, ergonomic chairs, special computer telecommunications software, telephone receiver amplifying devices, professional readers, optical scanners. We will arrange certainly for sign language interpreters for

important meetings. We do offer a training course also. It is called Working With People With Disabilities and we think this is a very good way to have people know how to respond and react in working with disabled employees.

Even the fitness center, in the development of the fitness center, we also took that into account and have a number of things in the fitness center, including an upper body ergometer, which allows aerobic activity for disabled employees. So we are trying to take that into account on all fronts and educate the staff and supervisors in ways to do this and my staff is certainly available to work with anyone who would want to address this type of an issue.

MR. TUCKER: I might add that each year the Agency submits an annual report to the U.S. Equal Employment Opportunity Commission on initiatives designed to increase the number of disabled employees that we hire and we also

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submit an accomplished report to the EEOC.

CHAIRMAN JACKSON: You have charts 1.9 to 1.11 that show the number of minorities in let's call them SES feeder groups, the grades below. How many in those groups are currently SES qualified, do you know? And how many of these are women?

MR. BIRD: I don't know that I could do, from that chart, certainly, I can't get that information. I can ask my staff if they could look for the information of those that are in the candidate development program.

CHAIRMAN JACKSON: You could just provide it.

MR. BIRD: In the candidate development program, did you ask for minority women or minorities?

CHAIRMAN JACKSON: Minorities and women.

MR. BIRD: Let me just count real quickly.

I believe the count is six, if I read that correctly. We will double check that, but I believe that is correct, of those that are in the candidate development program that are basically prequalified for SES.

CHAIRMAN JACKSON: Then of the groups that we are interested in in this briefing, as represented by the committees, we talked about various reorganizations and streamlining. Were there any decreases in terms of the number of supervisors as a result of reorganizations of these groups?

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MR. BIRD: Yes. Of course, overall, there was a substantial decrease in the agency. We then looked at the impact on minority groups and women and found that, in general, there had been less impact on minorities and women than there has been on white men.

CHAIRMAN JACKSON: Okay. Last question for now. I don't want to take the whole show. You know, the committees have issued a joint statement of issues and I think the Commission appreciates that. There were nine issues identified in the December '95 briefing and then there were topics that remained to be resolved to the satisfaction of the committees and I will just read them out and you can tell me if these are, in fact, the right ones:

Monitoring and evaluation of Affirmative Action programs, strategic planning, management accountability, increased representation of women and minorities, which we have already been speaking to, and examination and report on specific concerns of EEO committees and root causes.

Then there were two new issues that were raised by the Committee having to do with the need for a strong and independent Office of Small Business and Civil Rights and the issue of preselection which Ms. Summers mentioned in her remarks. So I guess I am inviting you, Ms. Summers, if you would like to comment on these areas as to where you think things stand with respect to the follow-on issues and if you

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would like to elaborate on your two new ones. Then I would like to ask Mr. Bird or whomever, Mr. Taylor or Mr. Tucker, to comment on what process we have in place for resolving these issues.

MS. SUMMERS: I am not sure I will hit all of them but one of the working groups will look at monitoring so that is a second one that I mentioned that will be taken up with our working groups. As far as strategic planning is concerned, I believe that one is being -- that is on sort of hold while we wait to see what the results of the strategic planning initiative are.

As far as the increased -- we have discussed -- I think the staff has discussed some of the statistics. We might want to bring up some other statistics that haven't

been mentioned here as specific committees might wish to do but, speaking for all the committees, I think enough maybe has been said about that.

We were concerned, as a group of committees, with the response that we had been getting at some times from the staff on our concerns. At some points, we felt that some of our concerns were being not addressed and we didn't really have a reason why they hadn't been addressed or the reason that we were given didn't seem to be satisfactory. That is one of the reasons why we are setting up these working groups to work more closely with the SBCR office.

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The root causes for some of those issues are very complex and I don't think it is easy for the staff to come up with answers. But I think we see a new willingness now on the part of the SBCR to look for issues and look for answers to those issues and I hope that's the case and I hope that will continue when the head of that office is chosen.

The new issues that we raised, one of them is exactly that. We felt that there could be a conflict of interest by having the head of the Small Business Civil Rights Office report to the EDO rather than report to the Commission, that the whole objective of finding potential problems with some of the ways in which selections have been made and things like that would reflect, perhaps, negatively on the upper management which is also the management of the head of the Office of Small Business and Civil Rights and perhaps that would be something that could be changed. I checked and found that many of the other agencies do have the head of the EEO office or whatever it is called and other agencies reporting directly to the head of the other agency so I think there is some justification for considering that.

In terms of preselection, I think it is the feeling of the committees that this is not an issue that is limited only to women and minorities. That it is a problem

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that affects a very large number of employees here and I do hope that our working group will be able to identify some remedies for that because I think if you -- if each employee feels that they are being fairly considered for the jobs they apply for, regardless of whether they are women and minorities, if they are being fairly considered then I don't think we have an EEO problem in the agency.

MR. PITTIGLIO: If I could, I would like to emphasize one aspect of what Ms. Summers had said. We are gratified at this point that the joint committees of the EEO committees are working together with the staff. I am particularly gratified at the statement of cooperation that Mr. Bird made at the table today.

But the important thing is that there is this cooperation that is promised and that means active negotiation and goodwill and an effort to see the different difficulties and the different points of view and I am optimistic that this is going to mean a more constructive approach in the future so that the acrimony that you have seen at this table at times is not going to be present any longer.

MR. BIRD: Yes, I certainly think we have common objectives in trying to provide a fair and equitable system and one that employees trust is as good as we can make it and I think those are the bottom line, at least as far as I

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am concerned, of trying to approach these working groups.

Some of these issues are very elusive issues and they are hard issues to deal with, in some cases even hard issues to talk about and discuss. But we will certainly continue to do that and I think the whole theme of the spirit of cooperation, working together, trying to answer questions, even deal with difficult questions sometimes is the nature of what we are trying to accomplish and do and I have worked very closely with many of the people at this table in that regard and I know my staff has and we would continue to do that.

I think that communication is one of our key issues and I think this is certainly a means for that to carry on and hopefully get to some productive solutions for everybody and constructive solutions. So I certainly support that effort, as I believe Ed does.

CHAIRMAN JACKSON: Commissioner Rogers, do you have any comments or questions?

COMMISSIONER ROGERS: Nothing specifically right

at the moment.

CHAIRMAN JACKSON: Commissioner Dicus?

COMMISSIONER DICUS: Yes.

One of the issues that has been raised previously by the advisory committees and one that has concerned the committees as I have gone back and done a little review of

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this is the committees' desire to have data systematically developed to address various committee concerns. Now, when this issue was raised, the response to the concern noted that there was reluctance to expend some of the agency's resources when they, of course, obviously are finite to collect data that had not been previously collected in areas where there is limited historic indications of the problems.

So if that is the background, the question concerns the fact that as new systems are developed to track or maintain databases on personnel issues, what is being done to determine if the newly implemented systems can include data that is requested or might be requested by the committees to assure that there is a cost effective opportunity to develop better databases before those data might be lost?

MR. BIRD: I'll try to respond to that with an example.

One of the issues that the committees were concerned about and therefore we became concerned about was trying to monitor by ethnicity those on best qualified lists. We didn't have any automated means of doing that. The records were -- some of the records, historically, were in the warehouse. Some records had been destroyed over time. It was a very large set of records that would have to have been gone through in order to do that.

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We now have an automated system which collects that data. Of course there is a resource cost that you have to put the data into the system, but we are doing that and we have been able to do some things or some analysis at least regarding our best qualified lists that we weren't able to do in the past and I think those types of things certainly have to be well thought through. Hopefully, you know, it would be worth the investment to make an automated system and to continue an automated system and feed an automated system to provide data.

But I think that is a good example of where it does provide an additional means for monitoring that we didn't have previously. So I would think that we continue down that path, that as these automated systems improve, we will be in a better position to make good, rational decisions with regard to those that lend themselves to that.

MR. PITTIGLIO: Commissioner Dicus, I believe that there is an ongoing effort to get new data for personnel and, so far, that is not working in tandem with the work force, the task force group that is going to be looking at the same issue. I would hope that, as we evolve that effort, there will be a tandem effort to decide what you are going to collect in the future and what the goals are going to be.

COMMISSIONER DICUS: I would encourage that.

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CHAIRMAN JACKSON: Well, if there are no further comments, I would like to bring this briefing to a close by thanking all of the participants for their insights, comments and suggestions. Even though it was shorter than the allotted time, this was a comprehensive briefing. I am assuming a shorter time because we do have this more focused approach and the cooperativeness that each of you spoke about. It is a briefing on a very important subject for assuring that all NRC employees can work with pride and achievement and without the resentment and frustration that can result from concerns about EEO policies and practices all around.

So you are to be commended for what appear to be quite assiduous efforts in implementing and strengthening the Agency's EEO program and I encourage each of you to continue to play a significant role in ensuring that NRC enhances its EEO program, particularly as we engaged in the strategic assessment and re-baselining effort currently under way.

I will expect that NRC managers and supervisors will do their best to help each of their employees reach their full potential and to effectively accomplish the agency's mission. This requires activism, planning, good communications and goodwill.

If there are no other comments, we are adjourned.

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[Whereupon, at 2:58 p.m., the briefing was concluded.]