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NUCLEAR REGULATORY COMMISSION  
OFFICE OF THE SECRETARY  
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BRIEFING ON EEO PROGRAM  
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PUBLIC MEETING

Nuclear Regulatory Commission  
One White Flint North  
Building 1, Room 1F-16  
11555 Rockville Pike  
Rockville, Maryland

Thursday, March 30, 2000

The Commission met in open session, pursuant to notice, at 9:03 a.m., the Honorable RICHARD A. MESERVE, Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

- RICHARD A. MESERVE, Chairman of the Commission
- GRETA J. DICUS, Member of the Commission
- NILS J. DIAZ, Member of the Commission
- EDWARD McGAFFIGAN, JR., Member of the Commission
- JEFFREY S. MERRIFIELD, Member of the Commission

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STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

- ANNETTE L. VIETTI-COOK, Secretary
- KAREN D. CYR, General Counsel
- YEN-JU CHEN, APAAC
- JOSE IBARRA, HEPAC
- BRIAN THOMAS, ACAA
- CHARLES COX, CAD
- BOBY ABU-EID, ILMEEOC
- PETER HEARN, NTEU
- MARY GIVVINES, FWPAC
- MICHAEL SPRINGER, ADM
- WILLIAM TRAVERS, EDO
- PATRICIA NORRY, DEDM
- IRENE LITTLE, SBQR
- PAUL BIRD, HR

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P R O C E E D I N G S

[9:03 a.m.]

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CHAIRMAN MESERVE: Good morning, ladies and gentlemen. The Commission meets this morning to hear the current status of the agency's Equal Employment Opportunity program. The Commission's EEO program, of course, is intended to foster equal opportunity for all employees for job opportunities, to encourage diversity, and to prohibit discrimination of any kind. We much look forward to hearing your report on our progress in that area. Let me turn to my colleagues to see if they have any opening statements.

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COMMISSIONER DIAZ: No, thank you.

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CHAIRMAN MESERVE: If not, Mr. Travers, you may proceed.

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DR. TRAVERS: Thank you, Chairman Meserve, and good morning, everyone. We are pleased to be here today to provide the Commission with information on the status and progress of the agency's Equal Opportunity program.

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Before we proceed, let me introduce those of us at the table. On my far left is Mary Givvines, who is the chair of the Federal Women's Program Advisory Committee, and Mary will provide a perspective of employee concerns and recommendations from the EEO advisory committees. Mike Springer, who is the director of the Office of Administration, will discuss implementation of the EEO

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program in his office. Pat Norry, who is my Deputy Executive Director for Management Services, is on my right. Next to her is Irene Little, Director of the Office of Small Business and Civil Right, and of course, Paul Bird, the Director of the Office of Human Resources. Irene Little will now introduce the EEO Advisory Committee representatives who are seated.

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MS. LITTLE: Thank you, Bill. We have with us participating in the briefing this morning the chairperson of the Asian Pacific Advisory Committee, Yen-Ju Chen; the chairperson of Hispanic Employment Program Advisory Committee, Jose Ibarra; one of the co-chairpersons of the Advisory Committee for African Americans, Brian Thomas; the chairperson of the Committee on Age Discrimination, Charles Cox; and one of the co-chairpersons of the Joint Labor Management EEO Committee, Bobby Eid. Also joining us this morning is Pete Hearn, a representative from the National Treasurers' Employees Union. Dr. Travers?

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DR. TRAVERS: Thanks very much, Irene. Recently

20 the agency celebrated its 25th anniversary, and I want to  
21 reflect just for a moment on the NRC of 25 years ago and the  
22 NRC of today. From the very beginning, our mission has been  
23 to protect the public health and safety and the environment,  
24 and that mission has not changed. Carrying out that mission  
25 has required NRC to continue to maintain a staff of highly

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1 talented and skilled employees. In 1975, NRC's total staff  
2 numbered about 2,000. Over the years, the size of the staff  
3 has varied, reaching as high as 3500 in the mid-1980's.  
4 Today we are at about 2800 permanent full-time employees.

5 When the SES was initially established in 1979,  
6 NRC had 190 senior executive, including three minorities and  
7 two women, or less than three percent. Now we have 140  
8 senior executives, including 15 minorities and 15 white  
9 women, for just over 21 percent. We know that we need to  
10 continue our efforts to further increase the numbers of  
11 women and minorities in our senior management ranks, but we  
12 believe that significant progress has been made.

13 The focus for NRC's EEO program has remained  
14 consistent throughout its history. That is, to enhance  
15 representation of minorities and women throughout the  
16 agency, especially in technical and supervisory positions,  
17 to conduct recruitment of minorities and women at colleges  
18 and universities and to encourage all employees to seek  
19 training opportunities. In 1975, minorities represented 11  
20 percent of the agency's total staff. Today, minority  
21 representation has doubled. In 1975, women represented 28  
22 percent of the agency total staff. Eighty-five of these  
23 women were in secretarial support roles. Today, women  
24 constitute 37 percent of the staff, and two-thirds are in  
25 engineering and scientific or professional administrative

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1 jobs.

2 In the early years, NRC's work force was generally  
3 in the age 40 and below range. With the passing of time,  
4 the age of the NRC work force has increased to an average of  
5 48 years, bringing the additional challenges of an aging  
6 work force.

7 Today, we have a more family friendly workplace  
8 with compressed work schedules, flexi-tour, flexi-place,  
9 work at home, job sharing, and part-time employment. All of  
10 these initiatives help the agency capitalize on the talents  
11 of a workforce that is becoming more diverse. We must  
12 continue the progress we made by continuing to seek creative  
13 ways to enhance diversity, and by continuing to capitalize  
14 on the talents of our employees. We must also create and  
15 maintain an organization that facilitates continuous

16 improvements and efficiency and effectiveness. I believe  
17 one of our greatest challenges is effectively managing our  
18 diverse work force in an environment of continuous  
19 improvement and ensuring that employee contributions are  
20 valued, recognized and supported by a positive work  
21 environment.

22 We have learned a lot in our 25-year history, and  
23 we have come to realize that EEO is not a destination, but  
24 an ongoing process. Changing the culture and demographics  
25 of the agency is a long-term goal, and it requires our

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1 combined commitment and efforts to achieve equal opportunity  
2 for all employees.

3 Now I'm going to turn the presentation over to  
4 Pat.

5 MS. NORRY: Thank you, Bill. Before I begin, I  
6 would like to ask Mary Givvines to provide a summary of the  
7 EEO Advisory Committee issues. Mary?

8 MS. GIVVINES: Good morning. On behalf of the  
9 advisory committees, we appreciate and thank you for this  
10 opportunity to share with you our perspective on EEO  
11 progress, some long outstanding issues, and also provide you  
12 with some recommendations for continued improvement.

13 First, we want to recognize and thank SBCR and HR  
14 for their continued support his past year. SBCR has been  
15 very good with meeting with the office directors and  
16 managers directly on EEO initiatives, as well as supporting  
17 the advisory committees. In addition, SBCR and HR both have  
18 been very supportive and responsive to our data requests, as  
19 well as being proactive and sharing data with us.

20 The committees have three long outstanding issues  
21 that we want to bring to your attention today. However, we  
22 would like to comment that overall, we do not believe  
23 significant progress has been made towards the agency's EEO  
24 initiatives.

25 The three major areas of concern are: There is

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1 continued underrepresentation of minorities and women in  
2 senior level and management positions. Based on fiscal year  
3 1998 data, just to give you an idea, white females made up  
4 26 percent of the work force, but only held 13 percent, or  
5 half, of the senior level positions.

6 African Americans made up 13 percent of the work  
7 force and held eight percent. Asians, seven percent of the  
8 work force, and held four. Hispanics are two percent of the  
9 work force, and hold two percent of the supervisory and  
10 management positions. However, overall, Hispanics are  
11 underrepresented. It's very low representation for the  
12 agency. White males make up 52 percent of the work force,

13 but hold 72 percent of the management and supervisory  
14 positions.

15           The committees believe that this latest SCS  
16 candidate development program was an opportunity for us to  
17 really impact the progress in this area, but minority  
18 selections were low. There were 24 selections made, broken  
19 down as follows: There were two African Americans, two  
20 Asians, six white females. There were no Hispanics, and 14  
21 white males.

22           Our second major area of concern deals with the  
23 agency's upward mobility process, or upward mobility  
24 positions. We believe that employees don't understand the  
25 process and how it works. We believe that managers are

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1 filling too few positions, upward mobility positions, or  
2 positions through this process. Our recommendation is that  
3 greater consideration be given to upward mobility positions.

4           The third major area of concern deals with the  
5 Asians spending longer than average time in grade,  
6 particularly at the grades 14 and 15 level. This issue was  
7 serviced in mid-1995. However, an assessment wasn't  
8 actually done until late December, 1998. It was brought to  
9 the Commission's attention in late 1999. Despite recent  
10 management efforts to make an impact, to address this  
11 concern, the issue still remains.

12           We will continue to work with SBCR on these  
13 ongoing issues -- SBCR and HR. We have five recommendations  
14 that we'd like to share with you that we feel will enhance  
15 the EEO program. First, we feel that SRM's, following the  
16 EEO briefings, could be more effective, if they were more  
17 specific and focused on some of the harder issues. We  
18 believe that they should identify specific methods and  
19 actions for addressing issues, as well as having a follow-up  
20 process to track the progress.

21           Our second recommendation deals with employee  
22 professional development. To improve employees'  
23 professional development, the agency should allow more  
24 employees, particularly minorities, women, older employees,  
25 employees with disabilities, to participate in highly

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1 visible positions, including ones within the office of the  
2 EDO, the Commission, and the chairman.

3           The third recommendation deals with evaluating  
4 management EEP performance. We think that substantive  
5 criteria needs to be established for managers to evaluate --  
6 or to provide more meaningful evaluations for their EEO  
7 performance.

8           The fourth recommendation comes from the committee

9 on age discrimination and deals with performance appraisals.  
10 They performed a study based on 1997 and 1998 data, and  
11 discovered that older technical staff had significantly  
12 reduced performance ratings. Their recommendation is that  
13 the office of the EDO issue a memorandum to sensitize  
14 management to realistic and fair evaluations.

15 Our final recommendation is that the office of  
16 small business and civil rights report directly to the head  
17 of the agency. Although the office of the EDO has done a  
18 good job of addressing EEO concerns, we believe the agency  
19 can achieve greater results if EEO matters were elevated to  
20 the head of the agency. This recommendation was brought up  
21 about three years ago. The Equal Employment Opportunity  
22 Commission issues a management directive to all federal  
23 agencies, and specifically states the director of the EEO  
24 should be under the immediate supervision of the head of the  
25 agency.

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1 That concludes our remarks, and we'll be happy to  
2 answer any questions you might have.

3 CHAIRMAN MESERVE: Why don't we complete the  
4 presentations, and then we'll ask questions of the entirety  
5 of the panel.

6 MS. NORRY: Okay. Thank you, Mary.

7 I'd like to comment on a couple of the issues that  
8 were highlighted in Mary's statement representing all of the  
9 committees. The issue of specific criteria for evaluating  
10 managers and supervisors in the EEO area, we have been  
11 looking for ways to strengthen management effectiveness and  
12 accountability in the EEO, and I think this tracks our  
13 general agency-wide efforts to look for greater  
14 accountability across the board in terms of the new  
15 directions for the agency.

16 I've asked SBCR and HR to work together to develop  
17 separate criteria to be included in the SES performance  
18 plans and in the elements and standards for non-SES managers  
19 and supervisors. EEO performance is currently evaluated,  
20 but the lack of perhaps some more specific criteria, it has  
21 been a problem. So, we believe that these criteria should  
22 enhance managerial accountability and strengthen support for  
23 EEO.

24 The committees also mentioned the upward mobility  
25 process, and it's true that during the past three years,

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1 particularly, managers have pursued hiring more experienced  
2 employees because we've been in a downsizing environment,  
3 but we are working -- HR has been working actively with  
4 office directors to restructure some positions so that  
5 employees at lower grades can compete for professional

6 positions.

7           The office of administration, of course, has also  
8 had a successful program in upward mobility, and you'll hear  
9 from Mike Springer on that later. Using the formal upward  
10 mobility process, we did manage to create and fill a  
11 position, one position each in '99 and in '2000, but other  
12 strategies have been to work in partnership with managers  
13 and supervisors to restructure and to modify qualifications.  
14 Working with managers to take a look at certain positions  
15 where the qualifications perhaps can be modified in a way  
16 that will allow more applicants to effectively compete for  
17 these positions. This was done, and there were -- this  
18 helped to create a more diverse internal applicant pool.

19           Third, we recognize that to achieve diversity  
20 gains requires a long-term strategy and a commitment to  
21 results. We believe our long-term strategy is appropriately  
22 focused on increasing our entry level and intern hiring, an  
23 area where we have been able to realize work force diversity  
24 gains in the past. Our plan is to provide temporary FTE  
25 relief for offices that fill positions through entry level

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1 and intern hiring. Our goal is to recruit at least 25  
2 percent of new employees for entry level positions. Office  
3 and regions are being encouraged to fully utilize their FTE  
4 to support this goal. In addition, the NRC's summer  
5 hiring program and the co-op program will also be utilized  
6 to identify highly qualified, diverse applicants for entry  
7 level and intern consideration. We are particularly in tent  
8 on using these initiatives to improve our performance in  
9 recruiting Hispanic employees. We've had some success. In  
10 fiscal '99, we hired five Hispanic employees and three so  
11 far in fiscal 2000, but overall, representation of Hispanics  
12 in the agency remains low. It remains at about two percent,  
13 which means they continue to be underrepresented. This,  
14 therefore, will remain a major area of focus for us in the  
15 coming year.

16           I would now like to highlight two of the staff  
17 responses to the SRM issued after the last briefing. The  
18 full text of the SRM and the responses are contained in the  
19 paper at attachment one. One SRM asked us to discuss  
20 actions taken to encourage employees to encourage  
21 applications of qualified employees, and especially women  
22 and minorities, to apply for senior level positions, and the  
23 SES candidate development program.

24           Staff in the office of small business and civil  
25 rights often discuss SES and SL vacancies with minority

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1 group representatives and encourage applications. Some NRC

2 managers and supervisors encourage employees in their own  
3 offices to apply when a senior level or SES position is  
4 announced. Such outreach by office directors and regional  
5 administrators has the positive effect of motivating  
6 employees to apply for these positions.

7 To encourage applications from qualified  
8 employees, including women and minorities for the candidate  
9 development program, which was conducted in fiscal '99,  
10 network announcements were used to publicize the program,  
11 and a representative from the office of personnel management  
12 conducted two workshops to assist interested employees in  
13 understanding the application process and preparing their  
14 application packages. This effort resulted in 187  
15 applications and 24 selectees.

16 Another item in the SRM asked us to look at  
17 outreach strategies with other agencies to attract qualified  
18 and diverse applicants. The office of human resources has  
19 established a joint recruitment initiative with DOE and have  
20 identified recruiting events to participate in for the  
21 remainder of this year. Also, we are considering  
22 inter-agency assignments for the dual purpose of developing  
23 staff and showcasing the agency as a prospective employer.  
24 We will continue these initiatives, and we will seek other  
25 creative ways to attract and maintain highly qualified

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1 staff.

2 I will now ask Irene Little to provide a summary  
3 of the agency's activities in the EEO area.

4 MS. LITTLE: Thank you, Pat. I will highlight EEO  
5 program progress accomplishments and challenges during FY  
6 '99 and address briefly the direction of the program for the  
7 remainder of FY 2000.

8 At the beginning of FY 1999, the agency issued an  
9 updated affirmative employment plan, which includes the  
10 agency's commitment to aim for an EEO standard of  
11 excellence. The strategy for pursuing this objective is  
12 spelled out in the plan under four guiding principles. A  
13 copy of this plan was disseminated to employees, and our  
14 ongoing review of the EEO program follows the guiding  
15 principles.

16 The first guiding principle is to create a  
17 workplace environment that is free of discrimination,  
18 including harassment, and is accessible to individuals with  
19 disabilities. Creating a discrimination-free work  
20 environment requires that employees and managers understand  
21 their rights and responsibilities in the workplace and  
22 engage in open communication throughout the agency.

23 Two initiatives are highlighted in this guiding  
24 principle. The first is the agency's alternate dispute

25 resolution process. Consistent with EEOC regulations,

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1 effective January 1, 2000, NRC established an alternate  
2 dispute resolution process as part of the EEO complaint  
3 process. Although it is much too early to reach any  
4 conclusions about the effectiveness of ADR in the agency, we  
5 anticipate the use of this process will assist us in  
6 resolving complaints very early, facilitating mutual  
7 agreements and in fostering more effective communication  
8 between employees and managers. A detailed description of  
9 the ADR process was issued to all employees, and it can be  
10 found on the Office of Small Business and Civil Rights web  
11 page.

12 The second highlight under this guiding principle  
13 is the agency's EEO counseling program. The primary  
14 function of an EEO counselor is to seek to resolve informal  
15 allegations of discrimination at the lowest possible level  
16 in the agency. However, EEO counselors serve an additional  
17 role. They assist in providing information to employees and  
18 managers about their responsibilities in the EEO complaint  
19 process. The informal counseling process continues to be an  
20 effective tool for resolving many employee issues.

21 In FY 1999, EEO counselors handled 39 informal  
22 issues. Five of these issues were withdrawn based on  
23 satisfactory resolution, and four were closed with  
24 settlement agreements. Resolving 25 percent of issues on  
25 the informal level is a good track record, and we anticipate

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1 that this percentage will increase with greater use of the  
2 ADR process.

3 Another aspect of a discrimination-free work  
4 environment is ensuring that employees with disabilities are  
5 provided reasonable accommodation to complete their work  
6 assignments and enhance their careers. Employees who have  
7 disabilities and who wish to request an accommodation are  
8 required to submit that request along with medical  
9 justification. During FY 1999, 22 requests for  
10 accommodations were approved. To maintain employee  
11 awareness of the agency's support in this area, all new  
12 employees are provided a copy of the revised NRC information  
13 guide for people with disabilities.

14 The second guiding principle is to ensure that  
15 agency policies, processes, and procedures provide all  
16 employees the opportunity to participate in mission  
17 accomplishment and to compete fairly and equitably for  
18 career enhancement and advancement.

19 It is critical that the agency's human resource  
20 management policies and procedures provide appropriate

21 guidance to facilitate equal opportunity in the workplace.  
22 One of the initiatives in place to facilitate this is in the  
23 merit staffing process. A checklist developed jointly by  
24 SBCR, HR, and the EEO advisory committees is being used by  
25 HR specialists to assist manager in developing broad, more

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1 objective rating factors to attract the widest and most  
2 diverse group of candidates possible for posted  
3 vacancies. Additionally, selecting officials are expected to  
4 interview all internal A, best qualified candidates for  
5 posted vacancies.

6 The employee performance rating process is another  
7 critical area. Performance ratings are used as the basis  
8 for awards, promotions, and other assignments. SBCR is  
9 monitoring performance appraisal trends so that any  
10 anomalies can be identified and addressed early. We  
11 conducted a review of FY 1999 performance ratings and found  
12 that agency-wide, 38 percent of employees receive the  
13 revered outstanding rating. In comparison to this  
14 agency-wide statistic, white females rated higher, at 46  
15 percent. White males were rated outstanding at a rate of 39  
16 percent. For minorities, 28 percent of African Americans  
17 and 28 percent of Asian Pacific Americans were rated  
18 outstanding. Twenty-five percent of Native Americans and 18  
19 percent of Hispanics were rated outstanding.

20 When you look at the work force from the work  
21 perspective, three of the four groups tracked received  
22 outstanding appraisals at a percentage higher than the 38,  
23 which is the agency's overall rate. The exception in the  
24 age area was the group age 56 and above. They received  
25 outstandings at a rate of 27 percent. As recommended by the

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1 Committee on Age Discrimination, a memorandum regarding  
2 completion of performance appraisals will be issued annually  
3 by the EDO, reminding managers of their requirement to  
4 fairly evaluate all employees.

5 How the agency assess managers in the EEO area is  
6 another critical piece of the effective EEO program. Pat  
7 mentioned earlier the effort by SBCR and HR to establish  
8 specific criteria for evaluating managers and supervisors.  
9 SBCR is also responsible for assessing how management  
10 policies and procedures impact employees as part of that  
11 process. Office directors and regional administrators  
12 provide reports in the operating plan that enables SBCR to  
13 identify areas where additional focus is needed. Annually,  
14 an assessment of this input is prepared by SBCR for use by  
15 the EDO when evaluating senior executives.

16 The EEO advisory committees also provide input  
17 regarding agency EEO goals and accomplishments. As Mary

18 stated in her statement earlier, SBCR and HR are currently  
19 engaged in dialogues with the EEO advisory committees on  
20 several of the issues discussed. Guiding principle number  
21 three is to employ a competent and highly skilled work force  
22 representative at all levels of America's diversity, and  
23 enable employees to accomplish the agency's mission by  
24 providing support, tools, and a positive work environment.

25 The agency's goal is to maintain a highly

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1 qualified and diverse staff. As Pat mentioned earlier,  
2 greater emphasis is being placed on entry level and entering  
3 hiring to help achieve this goal. In FY 1999, 102 new  
4 employees joined the agency, eight were entry level interns,  
5 and that number included four minorities and three white  
6 women. Minority and women representation is what we aim  
7 for, and we know that entry level and entering hiring can  
8 help us in this area.

9 While entry level hiring is the tool for  
10 increasing overall work force diversity, the SES candidate  
11 development program is one tool to increase diversity in the  
12 SES and supervisory ranks. The most recent selections for  
13 the candidate development program includes four minorities,  
14 six white women, and 14 white men. Our challenge is to seek  
15 ways to further develop employees for advancement in order  
16 to increase diversity and subsequent SES candidate  
17 development programs.

18 The fourth guiding principle is to recognize,  
19 appreciate, and value diversity, thereby demonstrating  
20 trust, respect, and concern for the welfare of all employees  
21 within the agency. I echo the statement Dr. Travers made in  
22 his introduction, that one of the agency's most challenging  
23 tasks is managing a diverse work force in a continuous  
24 improvement environment. Employees are our most valuable  
25 resource, and all employees should be provided with the

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1 opportunity to contribute to the organization within a  
2 positive working environment. To facilitate this objective,  
3 a managing diversity process is ongoing in the agency.  
4 Today, most of the managers and supervisors have completed  
5 awareness sessions, and sessions for employees have begun  
6 and are scheduled to be completed by the end of calendar  
7 year 2000. Diversity management is a cooperative venture,  
8 and its success requires the effort of all managers and  
9 employees.

10 Rewarding high performance employees is another  
11 critical piece of valuing employees. As part of our ongoing  
12 assessment, we reviewed the awards data for FY 2000, and  
13 overall, we are rewarding our employees well to a tune of

14 1,096 awards to non-SES employees in fiscal year 2000. We  
15 found that awards to minorities tracked very closely to  
16 their percentage of representation in the NRC work force.  
17 We also found that white females received slightly more  
18 awards and white males received slightly fewer awards than  
19 their respective representation in the work force. There's  
20 detailed data included in attachment three of the briefing  
21 paper on the awards data.

22 To provide a more comprehensive status of the  
23 agency's activities in EEO, for the first time, we are  
24 including in this briefing a summary of NRC's small business  
25 activity, and the agency's activity related to historically

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1 black colleges and universities. The small business program  
2 was created by federal legislation, and requires agencies to  
3 establish procurement preference goals for small businesses,  
4 minority businesses, and women owned businesses. The Small  
5 Business Administration is the lead agency for this program,  
6 and it requires agencies to establish an annual goal of at  
7 least 23 percent of agency contract dollar to small  
8 businesses. Over the past five years, NRC has consistently  
9 met or exceeded its dollar goal in all categories. During  
10 FY 1999, NRC's total procurement awards was \$72 million.  
11 Forty-four percent, or \$31 million, was awarded to small,  
12 minority, or women-owned businesses. NRC is viewed by the  
13 Small Business Administration as having a successful small  
14 business program.

15 In 1993, the historical black colleges program was  
16 established by executive order, and requires that federal  
17 agencies establish annual program and funding goals for  
18 historical black colleges and universities. The goal of  
19 NRC's program is to enhance teaching skills of faculty  
20 members at HBCU's and encourage students at these  
21 institutions to seek advanced degrees in science,  
22 engineering, and technology. During fiscal year 1999, seven  
23 students and 12 faculty participated in the program. Their  
24 participation involved technical research and development  
25 activities at DOE labs and on their campuses. These

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1 activities are all related to NRC's mission. \$189,000 were  
2 awarded under this program in FY 1999.

3 In summary, and finally, as we reflect on our 25  
4 years, we have made slow but steady progress. Our challenge  
5 is to maintain the levels of achievement that we have  
6 reached, and establish strategies to move us to the next  
7 level. To this end, my office, the Office of Small Business  
8 and Civil Rights, will continue its outreach efforts with  
9 office directors and regional administrators to discuss  
10 specific office and regional EEO initiatives in support of

11 the guiding principles. We will continue to offer guidance  
12 in implementing these initiatives. In conjunction with the  
13 office of human resources and all managers in the agency, we  
14 will intensify our efforts to increase the representation of  
15 Hispanics and other minorities in the pool of candidates for  
16 the inter-level program.

17 Office directors and regional administrators must  
18 continue to encourage and facilitate open communication  
19 among staff and management to enhance early resolution of  
20 issues. Employees too have a responsibility in an effective  
21 EEO program. They must bring issues to management's  
22 attention early and remain open to informal win-win  
23 resolutions. Employees must also be more active in managing  
24 their own career development by seeking information  
25 regarding career preparation, applying for posted vacancies,

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1 requesting feedback, and working with their first-line  
2 supervisors to participate in training and developmental  
3 assignments. Together, and as an agency-wide team, we can  
4 continue and even accelerate our progress in this area.

5 Thank you, Pat. This concludes my remarks.

6 MS. NORRY: Thank you, Irene. Now I'll ask  
7 Michael Springer to provide highlights of the EEO program in  
8 the Office of Administration.

9 MR. SPRINGER: Thank you, Pat. Good morning.  
10 Thank you for the opportunity to discuss Admin's efforts in  
11 EEO and staff diversity. Admin currently has 118 full-time  
12 and part-time employees. The table in the SECY paper in  
13 attachment two displays the ethnic background and gender  
14 breakdown of the Admin staff. Our staff is 44 percent  
15 minority and 62 percent female. Minority women represent 29  
16 percent of the staff; minority men, 15 percent; white women,  
17 33 percent; and white men, 23 percent. As Dr. Travers  
18 noted, EEO is not a destination but a continuing process.  
19 In Admin's case, this has meant building a program which  
20 provides opportunities for clerical and professional  
21 employees leading to professional positions, as well as  
22 recruiting from outside the office. It requires a heavy  
23 commitment to training and development and a continuing  
24 effort by managers to move staff up through the process of  
25 acquiring higher level skills.

25

1 Historically, Admin has maintained a strong upward  
2 mobility initiative. This initiative has been especially  
3 effective over the years in fulfilling procurement  
4 specialist vacancies in the division of contracts and  
5 property management. As a result, a number of our GD-12  
6 through 15 contract specialists and contracting officers are

7 former clerical and paraprofessional staff. We provide  
8 support and encouragement for employees to complete in-house  
9 and college level courses. At the moment, we have  
10 paraprofessional employees participating in developmental  
11 programs in computer sciences and in administrative skills  
12 enhancements, and we have other employees at the  
13 professional staff level taking college credit courses  
14 toward business degrees.

15 Earlier this year, we completed a special  
16 Admin-wide upward mobility initiative begun in 1998. We  
17 posted three administrative management training positions  
18 that were designated and designed to provide on the job  
19 training to the selected applicants that would prepare them  
20 to move from clerical and paraprofessional positions to  
21 professional career job ladders. Two African American women  
22 and one white women were selected for the 18-month program.  
23 All three were successful in completing this course and for  
24 competing for professional career ladder administrative  
25 positions, two of them in Admin and one in the Office of the

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1 Inspector General.

2 Following the success of this effort, I'm discussing with my  
3 senior managers other initiatives, including professional  
4 entry level hiring and development along the lines outlined  
5 by Dr. Travers in his March 21 memorandum to officer  
6 directors and regional administrators.

7 On the subject of entry level hiring of  
8 professionals, Admin's commitment to EEO and staff diversity  
9 remains very strong. From the beginning FY 1999 to the  
10 present, we filled 16 positions. Four of these were filled  
11 by minority women, four by minority men, and five by white  
12 women. Most significantly, two of the 16 were for key  
13 managerial positions at the branch level in my office. Both  
14 were hired from outside the agency. We hired an African  
15 American man for one of these management positions and a  
16 white woman for the other. We routinely seek diversity  
17 among our rating panel members, and I strongly encourage our  
18 managers to consider minority and women candidates for  
19 vacant positions. I personally review all selections in  
20 Admin to assure equity and balance in the process.

21 I also participate directly with Admin division  
22 directors in monthly meetings of the Admin labor management  
23 partnership where we discuss in a non-adversarial forum  
24 issues of equity and fairness and work assignment, hiring,  
25 promotion, recognition. Generally, we've been able to

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1 resolve the issues and concerns about equity and fairness  
2 quickly and amicably in this group. A top priority in Admin  
3 is to recognize the individual's whose performance and

4 achieving excellence in the workplace sets an example for  
5 others. For FY 1998 and FY 1999, we presented 106  
6 performance awards in Admin. Thirty-six percent of those  
7 awards went to minorities, 31 percent to white women, and 33  
8 percent to white men. We also recognize exemplary  
9 performance throughout the year with instant cash and  
10 administrative excellence awards. These are for unusual  
11 initiative, ingenuity, or customer service. During FY 1999  
12 and the first quarter of this fiscal year, we presented 40  
13 instant cash or administrative excellence awards.  
14 Forty-five percent of these went to minorities, 40 percent  
15 to white women, and 15 percent to white men.

16 Looking ahead, Admin will continue to explore  
17 innovative ways to promote equity for minorities and women  
18 in career enhancement. One specific challenge we have in  
19 Admin is in our staff development for contracting officers  
20 and specialists whose positions are in a particular job  
21 classification series known as the 1102 series. Recent  
22 changes in the standards for this series will require  
23 employees who are in this series to possess a college degree  
24 to advance to the GD-13 level or higher. Admin has 29  
25 contracting officers and specialists who are in the 1102

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1 series. Fifteen of these employees are minorities and 11  
2 are white women. Of the 29 people in the 1102 series, about  
3 13 could be affected by the new educational requirement  
4 contained in the new OPM regulations. This number includes  
5 five white women, six African American women, and two  
6 African American men. We have appointed a career  
7 development program manager to implement and oversee  
8 programs in our office that will provide any participating  
9 professional who needs a baccalaureate degree to advance the  
10 opportunity to obtain one. We also added funds to our  
11 training budget to achieve this objective.

12 I will continue to meet regularly with Admin  
13 managers and staff to ensure our commitment to staff  
14 diversity. Thank you very much for the opportunity to  
15 present this information to the Commission.

16 DR. TRAVERS: Chairman, that completes our  
17 presentation this morning.

18 CHAIRMAN MESERVE: Very good. I'd like to thank  
19 you all for a very helpful and informative presentation. I  
20 noted in the SECY paper at page three, you report that the  
21 number of formal EEO complaints has increased significantly  
22 during fiscal year '99. It appears that from the day that  
23 you report there that it went from 12 in 1998 to 16 in 1999.  
24 I'm not sure that that -- I expect the numbers do vary from  
25 year to year, and I'm not sure that an increase of four is

1 significant, but nonetheless, the trend is in the wrong  
2 direction. I wonder if you have any explanation for that,  
3 particularly given the comments that Ms. Little had made  
4 about the increasing effectiveness of the informal processes  
5 to resolve these issues before they get to a formal  
6 complaint stage.

7 MS. LITTLE: We think that it's pretty normal  
8 during downsizing and reorganization for complaints to  
9 increase. When you look federal government-wide, you see  
10 that kind of a trend, and it's generally an anomaly. We'll  
11 look at that for fiscal year 2000 to see if the trend  
12 continues or if it goes back down to the level that we have  
13 seen since 1996, as you can see, the date included in the  
14 paper. We think this is an anomaly of a year because of the  
15 level of activity and change we had in the agency.

16 CHAIRMAN MESERVE: I know that Ms. Norry in her  
17 presentations had emphasized the importance of the  
18 rotational assignments and the efforts that have been made  
19 there. The percentages are going up but the opportunities  
20 for rotational assignments seem to have gone down. I saw  
21 that there were 215 that are reported for fiscal year '98  
22 and only 141 for fiscal year '99. So, although we may be  
23 doing better in terms of the opportunities that are  
24 provided, that the overall absolute number of opportunities  
25 seems to be decreasing. Is there a problem there, and why

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1 are the numbers going down, and what should we be doing  
2 about that?

3 MS. NORRY: Well, I would just say one thing. I  
4 think that yeah, you could look at it as a problem because  
5 of the fact that rotational assignments do offer  
6 opportunities for people to get seen in different  
7 environments. I think it's somewhat understandable that  
8 offices have perhaps not, given everything that everyone has  
9 to do and given the increased work load in the agency with  
10 fewer staff, perhaps have not come forward as much as before  
11 to offer rotational assignments. We are working with the  
12 offices, and I think that the level is beginning to go back  
13 up again.

14 It's a human resources management issue that  
15 rotational assignments can prove of value, and they don't  
16 have to be considered a debit to the office that sends the  
17 person on a rotation. There's been more encouragement of  
18 kind of a two-way street thing where you send someone, you  
19 get someone. We try to facilitate all of this and work with  
20 the offices so it is not seen as debiting them with a  
21 critical skill.

22 DR. TRAVERS: But I think that's right, it is a

23 function, at least in the last year, in my view, of the set  
24 of initiatives that are before us, the fact that we've been  
25 downsizing to an extent, and that's quite a certain pressure

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1 on the organizations to keep what they have and keep them  
2 applied to the main mission of carrying out things like  
3 oversight and you know, those sorts of major initiatives  
4 that the agency has underway.

5 CHAIRMAN MESERVE: Is this a scenario we think we  
6 should be doing more and try to adjust that somewhat, the  
7 number of rotational assignments, things we should be doing  
8 there?

9 MS. NORRY: I think we're going to keep an  
10 emphasis on it and work with the offices. The key is for  
11 the offices, the managers, not to see it as lessening their  
12 ability to get the job done, and we'll just have to work  
13 with them.

14 CHAIRMAN MESERVE: Several of you have mentioned,  
15 and the data show that we're having a particular problem in  
16 the area of achieving the same progress with Hispanics as we  
17 are with some of the other groups. Is there an explanation  
18 for why that's proven more difficult?

19 MS. NORRY: Paul, do you want --

20 MR. BIRD: Well, I have a view on this, I think,  
21 that's reinforced with my counterparts throughout the  
22 government. The competition for Hispanic employees is very  
23 high. All the agencies are encouraged through a nine point  
24 plan put out by OPM to hire Hispanics. Most all the  
25 agencies are underrepresented. Certainly as a technical

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1 agency, the availability of qualified Hispanic staff to come  
2 into some of the jobs, particularly if you're recruiting at  
3 an experienced level, is very difficult. We lose Hispanics  
4 because of the competition. In fact, we've had success in  
5 hiring, but it's offset by the losses that we've had, and  
6 that's been fairly consistent for the last couple of years.

7 I think our efforts are very much focused on this  
8 issue. This has been an issue for a long while here. We  
9 have a lot of emphasis on it. We do a tremendous amount of  
10 recruitment aimed at solving this and trying to increase the  
11 number of people coming in, and we're going to have to work  
12 harder, I believe, on retention. I think that's also a  
13 factor here. Certainly if we're gaining at the same level  
14 we're losing, we're not going to make overall progress, but  
15 this is certainly a government-wide issue and something that  
16 needs to keep a focus.

17 We are talking to other agencies about this. In  
18 fact, it was mentioned earlier that we were talking with

19 DOE, and in some of those conversations, we view this as a  
20 common problem. Some of our recruitment strategies are  
21 aimed at this as a common problem, and I think we're just  
22 going to have to invest more in this effort to try to  
23 outgain the losses, if you will, to work this toward a good  
24 outcome in the future. We certainly have room for  
25 improvement, and we will certainly keep the focus on that

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1 particular area. Underrepresentation numbers would indicate  
2 that's our biggest challenge, and I think we're up to it,  
3 and I think we'll continue to work at it.

4 MS. LITTLE: In addition to competition within the  
5 government, private industry is seeing diversity as a  
6 competitive advantage, and so there's competition with the  
7 private industry as well, and of course, they have a lot  
8 more flexibility and can be a lot more timely in their  
9 offers and attract those Hispanics coming out of college a  
10 lot easier than we can. There are some built in things in  
11 our process that we're a lot slower than private industry,  
12 so we are also competing with them as well.

13 My office could probably come up with a couple of  
14 anecdotal situations here where we've identified highly  
15 qualified Hispanics -- I'm sure if the NMSS management is in  
16 the room, they can attest to that. We identified a couple  
17 of highly qualified Hispanics and worked directly with them  
18 and in the end, they simply said no, for whatever the  
19 reasons were. So, the competition is really, really stiff  
20 in that area.

21 CHAIRMAN MESERVE: Why are we slower than private  
22 industry?

23 COMMISSIONER MCGAFFIGAN: We're the government.

24 CHAIRMAN MESERVE: Is this an inevitable state of  
25 the government, unable to streamline its processes?

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1 MS. NORRY: I think one of the reasons why  
2 Congress is currently considering or will be considering  
3 shortly a package of initiatives that the office of  
4 personnel management put forward on how we can offer greater  
5 incentives to work for the government is because industry  
6 can consistently outbid us. So, they're looking at packages  
7 of things like signing bonuses and incentives to retention  
8 bonuses. We have some limited authorities in those areas,  
9 but they're looking to -- in recognition of the fact that we  
10 get outbid.

11 CHAIRMAN MESERVE: My question was not so much  
12 about the pay levels so much as that as I understood what  
13 Ms. Little was saying is that part of the disadvantage is  
14 that we're slower in making offers than private industry,  
15 and I just wondered whether that's something we can address.

16 MR. BIRD: I believe so. Certainly we have a  
17 competitive process for our jobs. We have posting  
18 requirements and things of that nature that private sector  
19 does not have. We have veteran's preference that we take  
20 into account in every job. We do registers of employees for  
21 selection purposes. So, in that regard, they have some  
22 advantages that they can go to a particular recruitment site  
23 and see three people they're interested in and immediately  
24 bring them into the workforce.

25 We are able to do that at entry level. We have a

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1 tougher time doing that at the higher levels. So, again,  
2 putting the focus on entry hiring may allow us to have more  
3 -- somewhat of a more competitive advantage than if we're  
4 trying to hire more experienced people where we have posting  
5 requirements, veterans preference and things of that nature  
6 that we're looking at.

7 I think, again, there's room for improvement,  
8 certainly even with our internal system to try to move  
9 things along more quickly, but this is a challenge and  
10 again, I think we're working at it. We're focused on it,  
11 and we're up to it, but we just have to keep the emphasis in  
12 this particular area right out in front of everybody and  
13 keep reminding our managers that this is important.

14 DR. TRAVERS:

15 MS. GIVVINES: I should probably point out that we  
16 are trying to put an emphasis on entry level hiring because  
17 we think we can make some gains in one area here. It's not  
18 to underestimate the challenge because even in entry level  
19 hiring generally, never mind minority candidates, we have  
20 had some limited success, given the competition out there  
21 and the salaries that technical people are, you know,  
22 gaining today. So, it's a tough issue. We hope that some  
23 of the legislation at OPM guidance and some of what we have  
24 now by way of tools will help us in that regard, but it's  
25 going to be a real tough road.

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1 CHAIRMAN MESERVE: Ms. Dicus?

2 COMMISSIONER DICUS: Thank you. I'm going to  
3 follow up on this line that we're on with a couple of  
4 questions. As best I recall from I think the August  
5 briefing, I think I asked the question, given the fact we do  
6 have to do postings, et cetera, and the veteran advantage  
7 and so forth, I think I asked the question when we go out  
8 and actually recruit, can we do an on the spot decision and  
9 make an offer, and I think the answer was yes. So, we can  
10 -- is that, Phil, a yes?

11 MR. BIRD: Yeah, again, for entry level people, we

12 can, if the program people are with us in the recruitment  
13 mode of wanting to do that and not wanting to bring people  
14 in for further interviews, that's possible.

15 COMMISSIONER DICUS: And I do want to make a  
16 comment about that because I want to encourage our senior  
17 managers and those who have the responsibility for doing  
18 these hires, that I think the Commission has -- I hope the  
19 Commission has -- certain I do -- a very strong interest in  
20 pushing this idea of entry level hiring because we do need  
21 to get these young people, these entry level people, in to  
22 provide, you know, the leaders 20 years from now that we  
23 need. So, you managers that are listening, I'm a very  
24 strong proponent of the entry level hiring. I understand  
25 the issue with downsizing. You want someone that can hit

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1 the ground running, but you might be surprised that some of  
2 these people can hit the ground running once they get  
3 accustomed to our way of doing things.

4 The last time also, and we talked about, I think  
5 Paul, you mentioned that you had just hired an individual  
6 with an expertise in recruiting minorities. I haven't heard  
7 anything about that in the briefing today. Is this person  
8 still with us, and what success level has this person had?

9 MR. BIRD: Yes, she's very much with us. Her name  
10 is Dee Willner. She's had a variety of experiences in other  
11 agencies. She's had a particular focus on minority  
12 recruitment and hiring and has brought some very fresh  
13 ideas. Just recently, she has met with officials, for  
14 example, at the Veterans Administration to discuss disabled  
15 veterans affirmative action. She had had a number of other  
16 visits with other officials that weren't very helpful in  
17 regard to identifying candidates, but her knowledge of that  
18 community and her ability to know which schools are  
19 producing the kinds of students we'd be interested in and  
20 then certainly networking with other people has been a true  
21 advantage. So, we've got a head of steam on this, and I  
22 think she's very, very capable of pointing us in the right  
23 direction, to the right schools, to the right job fairs, and  
24 adding an element of new look to our recruitment program.

25 COMMISSIONER DICUS: Okay. Perhaps at our next

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1 briefing, it might be useful if she would give us a little  
2 bit of feedback.

3 MR. BIRD: Certainly.

4 COMMISSIONER DICUS: I think it would be helpful.  
5 The lower appraisals that minorities are getting and the  
6 older employees, I wasn't quite clear -- didn't get a clear  
7 picture on why. Can someone fill me in a little bit on  
8 that, or what you think the reason is?

9 MS. LITTLE: I'm not sure if we know the answer.  
10 We've started to track the trend. Last time we did a  
11 five-year trend. We're continuing that trend. We don't  
12 know the answer to it. We've reacted to the data in a  
13 couple of ways. Some of the office directors, at least one,  
14 maybe a couple, have asked us to bring in managing diversity  
15 training for their managers just to make sure that they're  
16 focused on objective criteria when they're rating their  
17 employees. We're not sure what the answer is.

18 COMMISSIONER DICUS: I think it would be very  
19 useful to keep tracking that. I'm still just 39, but I'm a  
20 little sensitive about the over 56 group and their  
21 performance evaluation.

22 Let's see, I do want to underscore the chairman's  
23 comments about rotational assignments because I do use a  
24 rotational constantly in my office. I find it a tremendous  
25 advantage, and I very much support the concept of rotational

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1 assignments. I understand maybe at the Commission office  
2 level, we know that person will go back to the office they  
3 came from. I understand that maybe one of the problems in  
4 staff rotations, they may get scarfed up and not go back to  
5 the office they're in, but I think I would encourage that.

6 One final quick question, one page 13 of your  
7 paper, you note that 44 percent of last year's commercial  
8 contract awards went to small businesses, and you've set a  
9 target for this year of 26 percent. Why are you  
10 downscaling?

11 MS. LITTLE: What we tried to do is not set  
12 ourselves up for failure. The nationwide goal that SBA  
13 requires us to set is 23 percent, and so we set that goal  
14 and we try to up it a little bit each year because the --

15 COMMISSIONER DICUS: You've done a good job at 44  
16 percent.

17 MS. LITTLE: We've done a very good job. Yes, the  
18 contract people, the Admin people work very closely with our  
19 office, and we do a good job in that area.

20 COMMISSIONER DICUS: Okay. Thank you, Mr.  
21 Chairman.

22 CHAIRMAN MESERVE: Mr. Dias?

23 COMMISSIONER DIAZ: Mr. Chairman, I'd like to  
24 start with Mary, and Mary, I want to personally thank you  
25 for your very brief but very provocative thoughts. I think

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1 we should probably focus for a minute on your very first  
2 statement, that you believe there is no significant progress  
3 that has been made, and I think, you know, I person -- my  
4 fellow commissioners are very sensitive to that.

5           Let me explore this a little bit with you. In a  
6 very simple manner, the success or lack of success on EEO  
7 programs could be divided in two aspects, in two areas. One  
8 is programmatic. Do we have all of the things that  
9 programmatically should be done? Are all the push buttons  
10 in the right place? Are all those things that an agency  
11 should establish, are they there? Are they effective?  
12 That's one aspect of it which is, of course, the one that  
13 we've been addressing, you know, a lot this morning.

14           There's another aspect which is as important,  
15 which is the cultural aspect. Are these programs being  
16 effective because they're being embraced, they're being  
17 received properly? Are programs in place but not really,  
18 you know, going through the ranks? You know, is there a  
19 cultural problem in, say, this person speaks a little  
20 different, looks a little different, you know, moves around  
21 a little different, reacts a little different, and is that a  
22 cultural problem? Have we gone above the point where this  
23 agency is capable of saying there is no cultural problem, or  
24 is there a cultural problem?

25           So, two areas for you, please. When you said no

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1 significant progress, the first one is programmatically, do  
2 we have the things that we should have. Second, are those  
3 programs effective or not effective with no significant  
4 progress because the cultural issue is still there and is an  
5 impediment to progress.

6           MS. GIVVINES: I'm also going to ask my fellow  
7 co-chairs to help me out. I think programmatically, we  
8 probably do have the systems in place to achieve their  
9 goals. However, I believe that there needs to be continued  
10 awareness and planning, and it needs to be more of a  
11 coordinated effort to achieve our goals. So, I mean, that's  
12 a very simple answer. Would anybody want to add anything to  
13 that? We do believe the agency has what it needs to in  
14 place, but just the continued effort and awareness.

15           For the second one, actually the Committee on  
16 Joint Labor could probably address that better than I, but  
17 they have brought up the issue of communications. They feel  
18 like there is a problem with communicating with some of the  
19 ethnic groups, and they do think it is a communication  
20 issue, and that maybe perhaps management needs to focus on  
21 training development in that area and needs to be more  
22 sensitive to that issue. I don't know if you want to wait  
23 to talk about that.

24           MR. EID: Can I comment now?

25           CHAIRMAN MESERVE: Yes, if you'd like to make a

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1 statement now on that subject, it would be fine. We will

2 call on all of the members of the Committee for their  
3 additional comments if they'd like to make them, but if  
4 you'd like to respond to the specific question that  
5 Commissioner Diaz has raised, that would be fine.

6 MR. EID: Good morning. I would like to thank you  
7 for giving me the opportunity to say something about EEO. I  
8 have waiting for a long time to say something about it. I  
9 do believe yes, it is a problem. We need to improve  
10 communication skills within the agency at all levels, at the  
11 management level as well as at the staff level.

12 Concerning the staff level, we need to improve and  
13 develop plans and courses for training on oral and written  
14 communications within the staff because management, they  
15 perceive that certain minority staff, they are not able to  
16 communicate. In addition, also in the rating factors, you  
17 will find most of these rating factors, they include the  
18 factor of written and oral communication. Therefore,  
19 managers and review panels, they perceive certain minority  
20 groups, they do not know how to communicate, unfortunately.  
21 Some of it could be true, others it is not true. It is just  
22 perception sometimes. So, I believe we need to improve in  
23 this area.

24 In addition also, that we need to establish means  
25 that the managers understand the cultures. Unfortunately

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1 sometimes managers, they do not understand the cultures and  
2 the proper means of communications with the staff. That's  
3 another issue also, we need to improve on it. I will  
4 elaborate more in my presentation and my briefing on that,  
5 and I will let it to that time when my turn comes.

6 COMMISSIONER DIAZ: All right. Let me now turn to  
7 Ms. Little with a similar type because it appears that not  
8 only your office, but you know, everyone represented at the  
9 table, and they try to establish programs, and I think  
10 that's a very important thing. Programmatically, that's the  
11 only way you can address tracks and so forth.

12 The question is are they being as successful as  
13 they could be, and if so, is the reason obviously not  
14 programmatic. Is the reason that we are not being capable  
15 of breaking into this communication barrier of the  
16 importance to this country of having a diverse workforce or  
17 the importance for every single one of us to have this equal  
18 opportunity. You are in the very, very unique position to  
19 provide a response. Where is the problem? Is the problem,  
20 you know, someplace beyond your reach? You obviously have  
21 the elements and you have been, I hope, supported by Ms.  
22 Norry and the EDO and hopefully by the Commission to  
23 establish the elements. Where is the most significant

24 progress from your perspective, you know, essentially  
25 happening? Why? I think we have to admit that a

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1 representative of the advisory council, and there is people  
2 that, you know, it's an issue that we have face. There's  
3 been progress, but if in the year 2000, there's no  
4 significant progress, we should listen to it. So, where is  
5 it happening?

6 MS. LITTLE: That's a tough question.

7 COMMISSIONER DIAZ: I believe so.

8 MS. LITTLE: I think a prerequisite question is  
9 how do you measure success, and if we look at only the  
10 numbers, we might see that we have made some progress, as  
11 indicated by Dr. Travers' statement. If we look 25 years  
12 ago and today, we do see some changes in the numbers. If we  
13 look five years ago and today, we may not see a significant  
14 change in numbers, and when you don't see that, then where  
15 do you go to measure progress? Our emphasis over the past  
16 two, three years has been not simply on numbers because when  
17 you're in a downsizing environment and your numbers are  
18 going down, your minority numbers are going to go down as  
19 well. So, we're looking for balance in that process so that  
20 whatever is adversely going on in the agency, minorities do  
21 not get a disproportionate impact of that adversity. That's  
22 one thing we look for. I think we've been fairly  
23 successful there.

24 The other area that we're looking at is  
25 communication, and we know that effective communication in

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1 the agency needs to be improved. We know that. Many of the  
2 EEO complaints and other issues that come to us when we sit  
3 down and sort them out, they are lack of communication, poor  
4 communication, miscommunication problems. We know that.  
5 How we solve that we're not sure. It's going to take an  
6 effort on the entire agency's part to do that. I think that  
7 office directors and managers and I think certainly my  
8 bosses, and I'm sure you know that emphasizing effective  
9 communication is one way to do it, talking about it, having  
10 meetings with employees and sharing information with them.  
11 There are just a variety of ways we need to do that, being  
12 sensitive to the fact that employees want to know what's  
13 going on as soon as they can and being very open with them.

14 When we look at performance appraisals, for  
15 example, and talk to managers about that, traditionally the  
16 agency has had a high number of outstanding performance  
17 appraisals, but when we talk to managers about whether these  
18 outstanding -- people that are rated outstanding are ready  
19 to move up into something bigger and better, we might hear a  
20 different story. So, there's been an emphasis on providing

21 candid feedback to employees. We know we have a problem in  
22 that area. We're trying to work to improve that. Managers  
23 should in an ongoing manner, at mid-year, in the performance  
24 appraisal process, be candid with employees on what the  
25 problems are and then talk about how to resolve the problem,

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1 how to remedy the deficiencies and how to help them become  
2 stronger in their weak areas. So, when we look at that, I  
3 think we're making some progress there.

4 In the operating plans of the office directors, we  
5 see now that many of them are having routine all employee  
6 meetings and sharing things with them and talking about what  
7 the strategy is in their particular offices and where  
8 they're going to go. These are the kinds of things that I  
9 think make employees feel valued. They want to feel that  
10 they're part of the decision making process that will impact  
11 them, and I think we are making some strides in these areas,  
12 but that's an area that's difficult to measure, and it takes  
13 awhile to see change.

14 COMMISSIONER DIAZ: In think this is something  
15 that we really need to think through. I believe there is an  
16 interface in here that needs to be addressed, probably  
17 better. You know, I just share with you a recent  
18 experience. I just took a few days, went to Florida,  
19 actually spend most of my time by some reason or another  
20 dealing with affirmative action, especially on the college  
21 level and equal employment, just as somebody that's been  
22 around. It repeatedly came out that most places have  
23 programs, but they need to be able to go the next mile.  
24 Sometimes it is not going and fertilizing the tree.  
25 Sometimes you need to check it, and that's a very important

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1 part of the process. You need to check the tree.

2 Finally, one comment, Mr. Chairman. I guess I  
3 wouldn't be myself if I wouldn't make a little statement  
4 sometime. I think that of all of these things that we keep  
5 hearing, we keep coming back to the, I would say, the lack  
6 of performance on the area of Hispanics, hiring, promotions  
7 and so forth. This is an issue that it's, you know, I know  
8 it's difficult, but I keep reading about the very dynamic  
9 Hispanic war force that is moving out into this country, the  
10 numbers and the quality. We need to grab our share. What  
11 we are not doing well, we need to find out whether it is  
12 programmatically or culturally, there is something that  
13 we're not doing right. It might be that everybody's not  
14 doing it right also, but I don't care for the rest of the  
15 federal government. I care for what the NRC does, and we  
16 need to do better. Thank you, Mr. Chairman.

17 CHAIRMAN MESERVE: Mr. McGaffigan?

18 COMMISSIONER MCGAFFIGAN: Let me first say that I  
19 agree with Commissioner Dicus about entry level hiring. I  
20 think the more of that we can do, the better. I know  
21 Chairman Meserve just came from a law firm, and I don't law  
22 firms would function without the entry level hires who work  
23 80-hour weeks and bill lots of hours.

24 CHAIRMAN MESERVE: That bill 80 hours a week.

25 COMMISSIONER MCGAFFIGAN: That bill 80 hours,

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1 right. Work 120 in order to bill 80. I recall when I  
2 started government in 1976 as a young foreign service  
3 officer, you know working very, very hard and hitting the  
4 ground running and hopefully not stopping. Lots of people  
5 -- I think the notion the younger folks can hit the ground  
6 running is just mistaken. You know, the danger is that  
7 they'll run circles around the older folks, and so I just  
8 want to echo that.

9 On the Hispanic issue, I know, and I've mentioned  
10 this before at briefings, the Pentagon has a program which  
11 is mandated in law to work with Hispanic serving  
12 institutions, and that obviously gives them some  
13 relationship when they're hiring from Hispanic serving  
14 institutions. They have obviously a \$30 billion research  
15 budget, a couple billion of which probably gets spent at  
16 universities, so it's a different kettle of fish.

17 Is there anything that would stop us, in addition,  
18 just as a matter of agency initiative, given the two percent  
19 numbers that we hear, to start an Hispanic serving  
20 institution research effort and just, you know, do it by,  
21 you know, there's not an executive order, there's not a law,  
22 but just do it? Just say we're going to try to have a  
23 parallel goal in working with Hispanic serving institutions,  
24 because some of them are pretty darn good schools. I think  
25 New Mexico State is Hispanic serving. I think the

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1 University of New Mexico is. Some of the California schools  
2 are. Some of the Florida schools are. You'll get some  
3 pretty good science, and I think it will also help you to  
4 recruit.

5 You know, when I was entering government, I  
6 entered as an FSO. I didn't think of -- I guess this place  
7 existed in '76. I didn't think of this place, although I  
8 might have. I was headed into the foreign service. I had a  
9 technical background, which the foreign service welcomed.  
10 You got to be there on the campuses for people to even think  
11 of you, I think, and so -- and that leads to -- I just  
12 suggest that we think about it. I'm not sure -- there may  
13 be impediments that I'm not aware of, but some sort of an

14 initiative with Hispanic serving schools that -- okay, here  
15 are the lawyers moving in their seats, so I should listen to  
16 Karen first to find out if I'm illegal.

17 MS. CYR: I think it's something that we'd have to  
18 look at because we do, for instance, where we do have like  
19 historically black colleges, we do have a specific executive  
20 order of authority to do that. So, I think it's worth  
21 exploring, but I think, just to make sure we would have a  
22 legal basis. I can't answer you now whether it is or not,  
23 but I think there would be a question that we'd have to make  
24 sure that we do have a basis to do that.

25 COMMISSIONER MCGAFFIGAN: The intern program, I

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1 know, obviously from the statistics, it's been successful,  
2 but do we also participate in the broader intern programs in  
3 government, the presidential management intern program and  
4 programs like that that bring -- I know that the law folks  
5 do. We have law interns, but do we compete in the  
6 presidential management intern pool that will, you know,  
7 that goes to the -- a lot of folks -- when I was at the  
8 Kennedy School, a lot of folks were recruited into  
9 government through the presidential management intern  
10 program.

11 MR. BIRD: We're not a formal entry into that  
12 program, a direct affiliate. However, we take advantage of  
13 the applicants that are provided through that program. In  
14 fact, we just received a package of -- it must be 900 or  
15 1,000 applications that have been applied to this year. We  
16 are planning to participate in a job fair where a large  
17 number of these students will come to town, and all the  
18 agencies would be there together competing. We're looking  
19 through those and identifying those that might have a  
20 background suitable to us. So, we're participating in the  
21 sense that we're there as a recruiter. We're not  
22 participating in the sense that we set up jobs specifically  
23 designed to bring people into the agency, but that is  
24 something we could also look at in this regard.

25 COMMISSIONER MCGAFFIGAN: It just depends what --

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1 you have more knowledge than I do -- as to what sort of  
2 people compete in the presidential management intern program  
3 and whether they would be attractive. You know, there are  
4 people at places like the Kennedy School or other schools  
5 that have technical backgrounds in addition to getting the  
6 management credential, but they've made a choice that they  
7 want to go on and work in government. So, it's a nice pool.  
8 At least they might work in government for awhile.

9 MR. BIRD: Absolutely, and technical applicants

10 are included there, although they are probably not the  
11 majority of applicants. There are many public policy  
12 background people, and certainly we will have some interest  
13 in that as well for the non-technical jobs, but it's quite a  
14 package of talent, if you will.

15 COMMISSIONER MCGAFFIGAN: Ms. Givvines, the issue  
16 of whether we're making progress or not, and you cited a  
17 bunch of statistics, and I guess the question always is, and  
18 we've had this conversation at these meetings before, is the  
19 glass half full or half empty, but looking around at the  
20 classes that I was in 25 years ago or more, it was almost  
21 entirely white males in the room, and I was in technical  
22 courses. We are a highly technical agency, and I don't find  
23 it that surprising that white males are 72 percent of the  
24 senior level and management positions given what I'm aware  
25 of in the way of people who were in school a quarter century

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1 or more ago who tend to be the people who are in the  
2 positions today.

3 If we're a highly technical agency and minorities  
4 and women are underrepresented in the technical degree  
5 programs at universities 20 or 25 or whatever number years  
6 ago, isn't it inevitable that you're going to have  
7 statistics like that? You know, you'd have huge reverse  
8 discrimination or something if you didn't have an outcome  
9 somewhat similar to that, wouldn't you?

10 MS. GIVVINES: Right. We just believe that we  
11 should continue doing what we can with the current employees  
12 that we have, increasing their development, attracting more  
13 entry level, you know, going to -- it's just more of an  
14 awareness and more of an effort on our part. That may be  
15 true, but I think that trend may be changing also. I think  
16 --

17 COMMISSIONER MCGAFFIGAN: I hope it does. I mean,  
18 you know, I've got a daughter who I'm trying to sitting  
19 Algebra at the moment, and I'm starting to worry about her  
20 going into technical. She's always gotten A's, but she's  
21 starting to resist Algebra, and Trigonometry --

22 MS. LITTLE: I resisted Algebra.

23 COMMISSIONER MCGAFFIGAN: Yeah, Trig and Geometry  
24 may be equally resisted. I'm going to try to get her  
25 through it, but I want the opportunity, and I think the

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1 question really is working with the workforce you have,  
2 being fair and being fair to all, it's equal opportunity.  
3 It can't be equal outcome if, you know, if indeed most of  
4 our workforce at senior levels is white males who went  
5 through those, you know, nuclear engineering and mechanical  
6 engineering or whatever courses, you know, a quarter century

7 ago. It's -- I don't know.

8 MS. GIVVINES: And I just want to emphasize the  
9 point that I think we just need to make more of an effort.  
10 It's more of an awareness.

11 COMMISSIONER MCGAFFIGAN: I agree.

12 MS. GIVVINES: And it might be difficult, and I  
13 think it would be -- I mean, it is a challenge, but I still  
14 believe, or we still believe, more can be done, and it's  
15 some of the things that we talked about earlier, the entry  
16 level programs, going out to some of these minority schools.  
17 There's the SES candidate development program. That's one  
18 way to get people into senior level. There's other  
19 feeder-type groups. There's the federal women's executive  
20 leadership program, so there are other means. We just want  
21 to make sure we're taking advantage of all of the  
22 possibilities.

23 COMMISSIONER MCGAFFIGAN: Thank you.

24 MS. LITTLE: Commissioner, if I could just comment  
25 on that. There are two sides to an EEO program. One is we

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1 should be fair to the employees that are in the market. The  
2 other side is one of the reasons that women and minorities  
3 are not in the market are not qualified and trained in some  
4 of the jobs and have not traditionally been so is that there  
5 was no market for them to use those skills. So, the other  
6 side of it is we want to create the market. We want to  
7 create the demand so that minorities and women will go into  
8 those areas of expertise, and that way they're there for us  
9 at the point they get through the program. So, we need to  
10 do more of that. I think I would agree with Mary. We need  
11 to continue to do that.

12 COMMISSIONER MCGAFFIGAN: I agree with that. I'm  
13 not sure that we can much influence the decisions that young  
14 people are making, this institution. I mean, the government  
15 as a whole can, but this institution can't influence, you  
16 know, the 17-year old or the 14-year old or the 18-year old  
17 in terms of choosing to go into a technical discipline as  
18 opposed to following where the market tends to tell them to  
19 go these days, which is into internet -- you know, maybe we  
20 could change our name to nrc.com and we might get a lot of  
21 folks very interested in us all of a sudden, but I don't  
22 know whether we could get a majority of the Commission to  
23 change that.

24 CHAIRMAN MESERVE: Commissioner Merrifield?

25 COMMISSIONER MERRIFIELD: Thank you, Mr. Chairman.

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1 You know, it's not always an occasion where the Commission  
2 does self-promotion, but I'm going to do one of those today.

3 A commission can lead by its statements or a commission can  
4 lead by action, and I just want to note -- I'm sure some  
5 have noticed but probably all haven't noticed -- there have  
6 been some recent changes at the Commission level in terms of  
7 staffing. Today for the first time, or maybe not today but  
8 in the next few days, for the first time, Commission offices  
9 at the EA level will be comprising a majority of females.  
10 Three out of the five as of April 1 will be females. Maria  
11 Lopez-Otin with Commissioner Diaz' office, Lynne Stauss of  
12 my office, and Janet Schluter, who will be heading up  
13 Commissioner McGaffigan's office. Also noteworthy, that  
14 females will make up a majority of those three offices  
15 overall as well. So, I think we all are trying. I don't  
16 want to focus just on the three of us. I know we all are  
17 trying to make sure we have sufficient diversity in our  
18 offices to show some leadership.

19 Ms. Givvines, I want to, I had an opportunity to  
20 meet with the group and some of the other advisory  
21 committees, and I want to focus on the last of the five  
22 recommendations, and that is SBCR should report directly to  
23 the Commission on issues of EEO concern. I know we've  
24 discussed this, and from my own standpoint, I have very good  
25 relations with Irene. She brings many issues to me directly

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1 and feel comfortable with the level of information and  
2 interaction, but I'm wondering what is it that's missing,  
3 you believe, in your interactions with the Commission that  
4 would necessitate making this kind of a change?

5 MS. GIVVINES: I think overall, just like anything  
6 else, if we feel if it's elevated, it will receive greater  
7 attention. I mean, that's I think the bottom line. When  
8 you get greater attention, you tend to achieve better  
9 results. Let me just pass that on to see if anybody else  
10 has any further comments. Anyone want to add to that?

11 It's just a feeling that if you raise it up.

12 MR. THOMAS: My name is Brian Thomas, and I'm with  
13 the Advisory Committee for African Americans. What Mary  
14 said is correct. We talked about the provocative statement  
15 in the joint statement that says progress has not been  
16 significant. Well, just from a perception standpoint and  
17 also from a frustration standpoint, you know, we believe  
18 that maybe if we elevate the concerns between SBCR and the  
19 Chairman, then there will be greater attention, greater  
20 focus paid to the issues. The other thought that we had  
21 when we got to this is that when a request or direction  
22 comes down from the Commission level, from the Chairman, it  
23 tends to be more of a desire on the part of management to do  
24 something about it.

25 What we have seen is that when we get requests and

1 directions from the EDO's office, it's more in the spirit of  
2 encouragement. It's more in the spirit of advisement,  
3 recommendations. So, from that perspective, we think  
4 there's room to get more action, more progress, if things  
5 are elevated to the Chairman's level.

6 COMMISSIONER MERRIFIELD: Thank you. I've got  
7 some other questions, and we can sort of succinctly go  
8 through these. I'd like to cover a few areas. Mr. Bird, I  
9 was reviewing the statement presented by the Hispanic  
10 Employment Program and Advisory Committee, and one of the  
11 lines was somewhat troubling, that HEPAC members have  
12 consistently assisted the Office of Human Resources in  
13 identifying several good prospects from a recruiting trip.  
14 However, the agency did not follow through after this  
15 initial identification, resulting in none of these Hispanics  
16 being hired. I was just wondering if you could just address  
17 that and if there are changes that you've made to make sure  
18 this doesn't happen in FY 2000 and going into 2001.

19 MR. BIRD: Yeah. You know, we will come back  
20 sometimes with candidates for jobs for which we haven't  
21 established jobs. A candidate pool is very good, but there  
22 may not be a job on the other end, in which case we don't  
23 have an offer to make. We're not in the position to make  
24 that offer. I know that's happened on occasions. What we  
25 try to do is retain the applicant, keep them interested and

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1 maintain that until perhaps there is a job that would be  
2 established for which they could certainly apply and be a  
3 good candidate. I'm sure there are situations where we  
4 weren't as timely as we would like to be in getting those  
5 applications out to the supervisors who have the job  
6 opportunities, and we're working hard on that to make sure  
7 that when we're back from a recruitment trip, we're  
8 immediately trying to get those applications out.

9 Dee Willner, who we mentioned earlier, is very on  
10 top of that. We have an applicant supply file, but again,  
11 that's somewhat of a bureaucratic process. If it goes into  
12 the supply file before we make it available, then it goes  
13 through a routine of getting out there and perhaps not in a  
14 timely fashion. So, we're trying to deal with that. We get  
15 a very large volume of applicants, certainly far more  
16 applicants than we have positions. While we've been  
17 downsizing, that's been particularly true. Many times we'll  
18 get applicants at an entry level, and we'll have no entry  
19 level jobs, and that's been a consistent problem. To the  
20 extent we establish more entry jobs and have them available  
21 and acknowledge, we're going to have far more success going

22 on campuses and getting a direct relationship between the  
23 applicants and the job, and we need to focus on that and  
24 continue to improve it.

25 COMMISSIONER MERRIFIELD: Perhaps some of that

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1 comment was historic and perhaps would be improved by the  
2 addition of Ms. Willner.

3 Ms. Norry, I know we have -- the Commission has  
4 made a significant commitment in terms of saying that we  
5 want to improve the training of our staff. The action to  
6 vote, I believe, that the Commission recently took on the  
7 technical training center is part of that effort. Let's  
8 improve our quality and level of training.

9 I want to focus on your thinking in terms of our  
10 Asian workforce. Are we providing sufficient opportunities  
11 out there with some of our older workforce members to make  
12 sure that they, too, are receiving appropriate training at  
13 that stage in their career.

14 COMMISSIONER MCGAFFIGAN: Yes, in the area of  
15 technical training, it's focused on job requirements, as you  
16 know, and that, of course, cuts across all age groups, so  
17 --and that would also apply to management training.  
18 Management training has been an area where in the last  
19 couple of years, we've had to put increased focus, and we  
20 were supported in the budget last year by getting a very  
21 robust training budget which should now enable us to provide  
22 training across the board. I don't believe we have a  
23 problem in not being able to provide training to all age  
24 groups. Is that correct, Paul?

25 MR. BIRD: I don't know of any problem.

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1 COMMISSIONER MCGAFFIGAN: Right.

2 COMMISSIONER MERRIFIELD: Well, we may need --  
3 that's one thing I'm interested in. We need to make sure  
4 we're getting plenty of opportunities. It may very well be  
5 that we are doing the right level.

6 Ms. Little, you spoke about the historic black  
7 college program, which I think is a very positive one. One  
8 of the things we also talked about today was the fact that  
9 we are providing an increased emphasis on our co-op program.  
10 Is there interaction there? Are we able to take the nexis  
11 that we have with the historically black colleges and try to  
12 get perhaps more of those individuals in through the co-op  
13 program or through the recruitment efforts of Ms. Willner?  
14 Do you think that's an opportunity for us?

15 MS. LITTLE: I think the lawyers will bear me out  
16 on this one. Because we're involved with a contract-type  
17 arrangement and paying for the research that the  
18 historically black college faculty and students are doing,

19 we really cannot use that as an employment program. Some of  
20 the applicants might apply for a job, but I don't think we  
21 can explicitly use that as a recruitment tool because of --  
22 it's a contract arrangement with us, at least that's our  
23 understanding.

24 MR. BIRD: On the other hand, the co-op program is  
25 a perfect avenue to tap talent early on in a college career.

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1 Now it's dipped down to the point that even freshmen and  
2 sophomores are being identified by agencies such as ours,  
3 brought into a co-op arrangement wherein they can come in on  
4 working semesters, receive experience, in some cases receive  
5 credit, and then in the end, they're employable by us. We  
6 can employ them without further competition after they've  
7 come through the co-op program, so they're kind of separate.

8 COMMISSIONER MERRIFIELD: In a nutshell, have we  
9 focused any of our co-op efforts on those historically black  
10 colleges?

11 MR. BIRD: Yes, in the past. That program  
12 diminished again in our heavy downsizing. We're  
13 re-emphasizing that program again, and look at it as the  
14 parallel's entry level hiring. We're going to need to do  
15 more with the co-op program in order to get the entry level  
16 hires we want. So, there's a particular emphasis now on  
17 re-establishing that, and again, our recruiter is working  
18 toward that end. These are formal agreements with colleges  
19 and universities, and our focus for developing those  
20 agreements is on minority schools.

21 COMMISSIONER MERRIFIELD: One last question, and  
22 I'm directing this towards Dr. Travers and Ms. Norry. One  
23 of the things that we can do -- you know, obviously there  
24 have been some issues raised by the advisory committees  
25 about sensitivity that our managers have about the EEO

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1 program. Have we thought or can we think about perhaps  
2 establishing a special award or identifying particular  
3 office managers, directors, or regional administrators who  
4 have had particularly outstanding programs, i.e., can we  
5 provide a financial incentive in the program? Have we  
6 thought about that, to reward those who have done a  
7 particularly outstanding job on recruitment in terms of  
8 raising EEO issues within their own staff?

9 COMMISSIONER MCGAFFIGAN: In terms of financial  
10 incentive, we have included in the past NRC awards programs  
11 people who have been recognize for their efforts in EEO, and  
12 these have included managers who have shown outstanding  
13 records. I think it's also of interest to note that this  
14 does not get into the financial, but each of the advisory

15 committees, when they have their programs, their annual  
16 programs, to recognize their particular minority group and  
17 generally give awards as the recognition of employees who've  
18 contributed a lot to EEO. Those are not financial, but  
19 those do give agency-wide recognition.

20 DR. TRAVERS: Any strategy for success needs to  
21 consider rewards, in my view, appraisals, rewards.

22 COMMISSIONER MERRIFIELD: I agree with that.

23 DR. TRAVERS: So, I think it's a fair question,  
24 and it's one that we ought to think about some more. I  
25 mean, in the context of making some advances in what we

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1 think is a pretty good emphasis by the management crew today  
2 on EEO issues, this might help.

3 COMMISSIONER MERRIFIELD: Thank you, Mr. Chairman.

4 CHAIRMAN MESERVE: I'd like to give -- I know that  
5 Ms. Givvines has provided us with a joint statement on  
6 behalf of the various EEO advisory committees, but I would  
7 like to provide an opportunity for each of the  
8 representatives of those committees to make a statement to  
9 us if they would choose to do so.

10 MS. CHEN: Good morning. We would like to thank  
11 you for the opportunity to brief you on some of the selected  
12 EEO issues that continue to affect NRC Asian Pacific  
13 American employees. We brought to your attention last time  
14 a concern on the limited representation of Asian Pacific  
15 American employees in the supervisory, management,  
16 executive, and senior level positions. There is also a  
17 shortage of potential candidates in the feeder groups for  
18 these positions. The result of the last SES candidate  
19 development program selections did not seem to help  
20 improving the agency's to achieve a more diverse environment  
21 in management and supervisory positions, so we have a  
22 concern there.

23 Also, last time we brought to your attention the  
24 issue associated with longer than time in grade for Asian  
25 Pacific American males, especially in grade 14. We made

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1 some recommendations to management to better prepare  
2 employees for future opportunities, and we believe that  
3 exposure and recognition are key to resolve this issue. We  
4 are encouraged that some of our recommendations were  
5 implemented, although fruition has not been a reality. We  
6 believe that positive results attainable, and we will  
7 continue to monitor the progress of the management  
8 initiative. Thank you.

9 CHAIRMAN MESERVE: Thank you.

10 MR. IBARRA: Chairman, Commissioners, thank you  
11 for the opportunity to say a few words. It's nice to see

12 the Hispanics get highlighted each time, and I would hope  
13 that that leads to positive results. We were a little bit  
14 discouraged that in the recent candidate development  
15 program, no Hispanics were selected. This, of course, is a  
16 very important program. It leads to possible entry into the  
17 SES in the future.

18 It has been about 16 years since we saw the last  
19 Hispanic enter SES. Part of the reason for no Hispanics  
20 being selected is the fact that there is lack of Hispanics  
21 in the feeder groups. For instance, it has been eight years  
22 since the last Hispanic has been promoted to a GG-15  
23 position. It also seems that one of the selection criteria  
24 for selection into the candidate development program was to  
25 have extensive supervisory experience. There are only three

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1 GG-15 level supervisors that are Hispanic. So, taking these  
2 things into account, the future doesn't look bright in the  
3 near future. In fact, we estimate it's going to take  
4 another ten years before the next Hispanic enters the SES  
5 ranks. Hispanics need to be better represented in the near  
6 future in the SES ranks. Thank you.

7 MR. THOMAS: Again, my name is Brian Thomas, and  
8 I'm co-chair of the Advisory Committee for African  
9 Americans. On behalf of the committee, I'd like to thank  
10 you for the opportunity to address EEO issues before the  
11 Commission that affect African Americans here at the agency.

12 The ACA, we have a number of EEO concerns, but  
13 I'll try to limit them to our top three issues today, which  
14 has been discussed at the table so far. Namely, those are  
15 the underrepresentation of African Americans in the SES  
16 management and supervisory levels, and the underutilization  
17 of the upward mobility program, to the extent that it does  
18 not necessarily benefit African Americans. Also, the issue  
19 that there's a need to establish criteria for evaluating  
20 management's performance. In that, there needs to be a  
21 better method of getting managers to focus on their  
22 contributions to EEO, to improve the EEO program.

23 I'd like to emphasize that again, we strongly  
24 support the statement in the joint statement, that in our  
25 view, progress has been very slow, very gradual over the

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1 years. You know, I've been involved in these issues that  
2 are going back to, I believe it was 1986, and so I've seen  
3 some of the progress so far. I have to submit that it is  
4 very, very gradual.

5 With regard to the issue of underrepresentation in  
6 the SES and management supervisory level is just to add to  
7 the demographics that Mary presented in a paper, I'd like to

8 point out that only 6.4 percent of the SES pool of 140 is  
9 African Americans. There are seven African American men and  
10 two African American females, and they were more recently  
11 promoted to SES. Basically over the last five years, the  
12 number has -- well, over the last three years, that number  
13 has been reduced. I believe it was eight percent in '98,  
14 more like nine percent. Well, it's currently 6.4 percent.  
15 I think it was nine percent in '97, or I may have the  
16 numbers switched around, but the trend is downward.

17 Basically the trend is downward. So, the point is  
18 that there is a considerable disparity in the demographics  
19 if you look at African Americans representing 13 percent of  
20 the labor force. This issue is of significant concern to us  
21 because also, of the nine African Americans, eight of them  
22 are, I believe, over the age of 50. So, if we try to  
23 speculate what would happen over the next five years, we  
24 estimate that there will be a further reduction in our  
25 representation over the next five years of African Americans

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1 in the SES levels.

2 To say the least, this, you know, the SES  
3 candidate development program is not very supportive  
4 currently of improving that future outlook. As Mary  
5 mentioned, there were four minorities out of a field of 24.  
6 Two of them were African Americans. So, you know, we'll  
7 keep beating that issue, that the SES candidate development  
8 program could have been better utilized to develop  
9 minorities and African Americans so that they could aspire  
10 into the SES ranks.

11 Another approach we would like to -- and I'm going  
12 to try to make this brief. Another approach we'd like to  
13 recommend to agency management is if they don't see that  
14 they're qualified members within the agency for promotion  
15 into the SES ranks, then why not hire from the outside? You  
16 know, why not go out and bring in some folks at the SES  
17 level?

18 A second issue is the upward mobility program, and  
19 you know, a fair amount's been said about that. Certainly  
20 we'd like to see it better utilized for advancing African  
21 Americans. There were some notable things that were said by  
22 Ms. Norry as to things that are being done. We'd like to  
23 recognize that the Office of Administration, along with  
24 Region Four in FY '99, I believe, combined had like six  
25 positions that were filled through upward mobility. The

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1 problem with that is that the program itself is not well  
2 advertised. A lot of folks out there, especially in the  
3 African American community, are questioning, you know, what  
4 is it exactly. How can they utilize it to their advantage,

5 and you know, how can it best benefit us.

6 So, we feel that more positions agency-wide should  
7 be established. A lot more offices should follow suit with  
8 the Office of Administration in the region. We would like  
9 to recommend that if it's one or two positions, that they be  
10 set aside annually and get promoted as upward mobility  
11 positions, and that's agency-wide.

12 A third issue, which is the establishment of  
13 criteria for evaluating EEO performance, again, I'm happy to  
14 hear some of the things that's being done there. I'm  
15 familiar with some of the efforts, but I got to say, this is  
16 an issue that deals with responsibility and accountability,  
17 and basically we're saying if the agency is to have a  
18 successful EEO program, it should place the burden and the  
19 responsibility for contributing to that program on the backs  
20 of its managers. In other words, their performance in EEO  
21 should be evaluated and, you know, short of having another  
22 idea, our idea is that elements and standards be  
23 established, you know, as the mechanism for evaluating how  
24 the agency managers are doing in this regard..

25 Ms. Norry did issue a memo back in May of 1999

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1 that requested that managers in their performance appraisals  
2 identify specific EEO accomplishments. We would certainly  
3 like to get some feedback on an assessment of the responses  
4 to that request and to get a sense of how is the agency  
5 doing with its current criteria, which is really just a  
6 sub-element under the element of human resources to look at  
7 the EEO. Thank you. I appreciate it.

8 MR. COX: Good morning, and again, we appreciate  
9 the opportunity to discuss aging issues with the  
10 Commissioners. I do represent the Committee on Age  
11 Discrimination, and I'd like to say that we kind of feel  
12 like a square peg in a round hole sometimes because we're  
13 one of the few groups that's really not underrepresented in  
14 the agency, as Dr. Travers said. The average age now is 48,  
15 so they all come under. Commissioner Dicus recognizes that  
16 eventually she's going to come under our group, too.

17 COMMISSIONER DICUS: Eventually.

18 MR. COX: Eventually. I said eventually. I think  
19 we have noticed some progress in recognizing aging issues  
20 with the agency. For example, the Diversity Day and the  
21 Aging Panel. We appreciate that.

22 The one issue that we'd like to discuss, though,  
23 that was pointed out in our joint statement is the  
24 appraisals for the technical group, which is the engineers  
25 and scientists, and in particular over 55. These people

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1 represent the greatest or the most experienced in health and  
2 safety issues, and yet they appear to get the lower  
3 appraisals. We are -- Paul Bird has sent out a memo  
4 addressing this issue after the 1999 appraisal went through,  
5 and we will continue to monitor the effectiveness of that  
6 memo with the 2000 appraisals. Thank you.

7 CHAIRMAN MESERVE: Thank you.

8 MR. EID: Good morning. I would like to say first  
9 one thing, that the Joint Labor Management Committee is  
10 different from the other committees. It's unique because it  
11 represents the point of views of both labor and management.  
12 Also, this committee does not focus on certain groups. It's  
13 focused on all NRC population. Therefore, I hope that you  
14 will take seriously the recommendations that I will bring up  
15 in this briefing.

16 Before that, on behalf of the Joint Labor and  
17 Management EEO Committee, I would like to thank the  
18 Commission, the EDO and the SBCR for the opportunity to  
19 present the committee views and recommendations regarding  
20 EEO issues and affirmative actions. In addition, I would  
21 like to thank Commissioner Merrifield for attending our  
22 committee meeting. It was very inspiring for him to attend  
23 our meeting. I hope this will be repeated.

24 The Committee recognizes the extensive effort of  
25 the agency. We pay lots of effort on EEO issues and

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1 affirmative actions. Especially SBCR and HR, I'd like to  
2 give them credit for what they're doing. They're doing lots  
3 of efforts to achieve the agency goals. However, our  
4 committee also believes that more tangible progress should  
5 be made, underlying tangible progress. Therefore, the  
6 Committee would like to bring to the attention of the  
7 Commission and the NRC's management concerns regarding  
8 standing EEO issues and offer recommendations for helping  
9 the NRC plan, track, and resolve EEO issues.

10 First, I would to add the standing EEO issues and  
11 concerns that were raised previously by our committee and  
12 still pending for resolution. These concerns and issues  
13 include strengthening and broadening upward mobility for  
14 advancement of minorities and women in professional  
15 positions. Statistics and data were mentioned before. I'm  
16 not going to repeat those.

17 We need to improve representation of women and  
18 minorities in management, executives and senior level  
19 positions. The SES candidate program was an example that we  
20 could not achieve what we wanted to achieve through this  
21 program.

22 We need to improve hiring, development, mentoring.  
23 Mentoring was not mentioned, but I believe it is a vehicle

24 that we could use. Also we need to improve retention. Many  
25 of the issues also related to retention of women,

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1 minorities, and disadvantaged groups.

2 We need to improve oral and written communication  
3 skills among staff. We need to improve management  
4 communication, their reception and responsiveness about EEO  
5 issues, goals, and affirmative actions.

6 There is one additional thing which was not  
7 mentioned. We need to examine the short term and the long  
8 term impacts of NRC's reorganization on achieving EEO goals  
9 and downsizing.

10 Having said this, our committee would like to  
11 offer the following recommendations. There is a need to  
12 develop an effective action plan for the implementation of  
13 EEO goals. We have goals. We have dreams. However, we need  
14 an effective action plan. That's what Commissioner Diaz was  
15 talking about. This plan should include a time frame, a  
16 means for checking and monitoring affirmative actions.

17 Then we come to the Commissioner report what we  
18 have done. We need to develop training programs, along with  
19 incentives to enhance staff effective communication. There  
20 are already courses that can be taken about developing  
21 communication skills. What kind of incentive we give for  
22 the staff to take those courses? Our solution from our  
23 committee previously was the core courses, for example, and  
24 those could improve the rating of the staff in case they  
25 take these courses. They already exist at the agency.

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1 We need to establish a framework of specific  
2 responsibilities and procedures for direct coordination  
3 between SBCR and the Commission on one side and between the  
4 EDO, HR, and NRC's key managers on the other side.

5 We need to develop effective plans and incentives  
6 to hire, retain, and develop women and minorities and  
7 disadvantaged groups. We need to establish an independent  
8 monitoring vehicle, and I underline independent, monitoring  
9 vehicle to insure progress is made towards achieving EEO  
10 goals.

11 In conclusion, the joint labor management EEOC  
12 believes that substantive progress on resolving EEO standing  
13 issues and implementing affirmative action goals can only be  
14 achieved and only through the attention and cooperation of  
15 NRC's management at all levels. It's not just EEO. It is  
16 required for management at all levels.

17 Also, our committee mentioned staff initiative.  
18 Staff, they should have initiative to develop their career.  
19 They should have perseverance for development and

20 improvement. It is not just having the tool. We need also  
21 the staff to do that. The EDO and Commission attention and  
22 support and clear direction is also needed. In general, the  
23 joint labor management EEOC is confident that with  
24 Commission, perseverance, and effective direction, our  
25 concerns would be seriously addressed to insure maintaining

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1 an effective EEO program within the NRC that benefit all of  
2 us, not just minority groups because we care about the  
3 individual and the human being, all, not just only certain  
4 groups. Thank you.

5 CHAIRMAN MESERVE: Thank you very much. Mr.  
6 Hearn, would you like to make a statement on behalf of the  
7 National Treasury Employees Union?

8 MR. HEARN: Yes, I would. First of all, I'd like  
9 to say that we support the recommendations of the Joint  
10 Labor Management EEOC Committee. Another observation I made  
11 was there was concern earlier on in a meeting when it was  
12 stated that in '98, you had 12 EEO complaints, and it went  
13 up in '99 to 16. The actual number of EEO complaints or EEO  
14 related complaints is much higher. Our realm of where we  
15 work, especially on complaints, is in the FITA group. We  
16 have a problem with the way the EEO process is set up  
17 government-wide. It's not under NRC's influence.

18 To take an EEO case forward, and I've been  
19 involved in these, and I've done it. I've been all the way  
20 down to the EEO Commission in Baltimore. They're tough.  
21 You not only have to prove the employee was wrong, you have  
22 to prove that they were wrong because of an EEO matter. The  
23 Supreme Court about five years ago made that second step  
24 very difficult. So, when an employee comes with an EEO  
25 matter, we usually recommend that he take it through a

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1 regular grievance because they only have to prove they were  
2 wrong to win something. We have a number of grievances.

3 Right now we have -- in headquarters, we have over  
4 60 higher graded duties grievances, and I would bet 50 of  
5 them are EEO related. They have a much better chance of  
6 showing their cause under the grievance procedure than the  
7 EEO procedure. These people are not only being denied  
8 promotions, they're doing the work of the higher grade.  
9 We're trying to get these resolved, and we're having a bit  
10 of a log jam. We've heard 30 of the cases and have no  
11 responses yet. Of that 30, probably 25 of them have EEO  
12 overtones. If they could be freed up, it would do a lot of  
13 good for the program, I believe. Thank you.

14 CHAIRMAN MESERVE: Thank you very much. I want to  
15 thank all of you for briefings that you have provided for us  
16 this morning. I know I speak for all the Commission in

17 expressing the view that the staff is really the central  
18 ingredient to the success of this agency, and it is in our  
19 interest as Commissioners and our interest in being  
20 successful in our jobs in making sure that everyone has the  
21 opportunity to participate in the accomplishments of the  
22 agency, to work in an environment that is absolutely free of  
23 discrimination and have every opportunity for advancement  
24 and opportunity to be hired by this agency. This is a  
25 central component for us as an agency to be successful in

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1 achieving our fundamental mission.

2 We take this briefing this morning very seriously.  
3 This is a very important matter for all of us, and I would  
4 like to thank you all for your candid and helpful views.  
5 With that, let me turn to my fellow Commissioners to see if  
6 they have a statement.

7 COMMISSIONER MERRIFIELD: I'd just say that I  
8 concur in the Chairman's remarks. I think we all take these  
9 issues very seriously. You can tell by the questions that  
10 we do think about these things.

11 COMMISSIONER DICUS: If I could just make maybe  
12 one minute. There were two things that came to mind. One  
13 of them is to follow on Commissioner Merrifield's comment  
14 about diversity. I think as I recall from our last  
15 briefing, I think it was Region Four. Ellis Mershoff was  
16 here, who pointed out as having been very successful at  
17 diversity in Region Four, and he talked about his programs  
18 and what he's done. So, there has been some recognition of  
19 diversity.

20 The other thing, it's a comment that, or statement  
21 that Ms. Little made that bothered me a little bit, and that  
22 was the comment at a certain level, people are getting  
23 outstanding ratings, but when you talk to the manager, the  
24 supervisor, can this person go to a higher level, and the  
25 answer in some cases, or maybe a lot of cases, was no, that

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1 that bothered me because in my mind -- if I heard you right,  
2 in my mind, I heard -- my mind said glass ceiling, so I may  
3 want to pursue this a little bit. If this is the case, what  
4 are we doing about it, but we're running out of time, so I  
5 appreciate that, but I did hear it and it did bother me.

6 CHAIRMAN MESERVE: Good. Thank you very much.  
7 With that, we're adjourned.

8 [Whereupon, at 11:10 a.m., the briefing was  
9 concluded.]