

UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

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BRIEFING ON THE EEO PROGRAM

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THURSDAY,

OCTOBER 31, 2002

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The briefing was held in the Commission Hearing Room of One White Flint Tower, Rockville Pike, Maryland, at 2:30 p.m., Richard Meserve, Chairman, presiding.

PRESENT:

RICHARD MESERVE Chairman

NILS J. DIAZ Commissioner

GRETA J. DICUS Commissioner

EDWARD McGAFFIGAN, Jr. Commissioner

JEFFREY S. MERRIFIELD Commissioner

KAREN CYR General Counsel

ANNETTE VIETTI-COOK Secretary

UJAGAR BHACHU, ACAA

SAMUEL COLLINS Director, NRR

WILLIAM TRAVERS Executive Director for Operations

PATRICIA NORRY Deputy Executive Director

IRENE LITTLE Director, Office of Small Business and Civil Rights

PAUL BIRD Director, Office of Human Resources

DAVID SOLORIO HEPAC

MICHAEL MARSHALL, ACAA

AMY SNYDER FWPAC

BUCK IBRAHIM CAD

DALE YELDING NTEU

C-O-N-T-E-N-T-S

Introduction by Chairman Meserve

Presentation by William Travers

Presentation by Patricia Norry

Presentation by Irene Little

Statement by Ujagar Bhachu

Presentation of Samuel Collins

P-R-O-C-E-E-D-I-N-G-S

(2:33 p.m.)

CHAIRMAN MESERVE: Good afternoon. The Commission meets today to discuss the status of the agency's Equal Employment Opportunity Program. The NRC staff briefs the Commission semiannually on this topic, and our last meeting on this topic was held in February.

Based on the material provided to us before the meeting, I believe that the agency has continued to make very significant progress in the EEO arena and the related activities concerning the management of human capital and the retention of core competency.

As I think everyone in the room knows, these are central concerns of the Commission, which remains committed to achieve positive results in our EEO and human capital programs.

We, therefore, appreciate the hard work and conscientious efforts of those who you see opposite us this morning and those obviously in the agency who work on these programs.

Each of you has made vital contributions to the success of our efforts to date. Nonetheless we should not lose sight of the challenges we still face.

As noted at the last briefing, we remained at a crossroads in the agency's history in the sense that the full impact of the actions we take today will affect the agency for years to come, particularly when the retirements that are inevitably going to occur actually happen.

We must insure that we can retain those we hire, successfully replace those we will ultimately lose, and continue to foster equal opportunity for all NRC employees.

The Commission very much looks forward to today's briefing, and I appreciate your willingness today to readjust the schedule from being in the morning to being a meeting this afternoon. That was a step that was taken to accommodate me as a result of a meeting that got scheduled that I had to attend.

Let me just note at the outset that one of the unfortunate consequences of transferring to the meeting to the afternoon has been that some of my Commission colleagues have some other commitments that have arisen or that have existed beforehand, and they may have to leave the meeting before we complete it. I hope you'll understand the circumstances.

And with that, I'd like to turn the meeting over to Dr. Travers.

MR. TRAVERS: Thank you, Mr. Chairman, and good afternoon. Good afternoon to everyone who has managed to come to this afternoon's meeting.

We are pleased to be here today to provide the Commission with information on the status and progress of the agency's Equal Employment Opportunity Program.

Before we proceed, let me introduce the people who are participating in today's meeting. In fact, let me start my left by introducing Ujagar Bhachu, who is the Chair of the Advisory Committee on Asian-Pacific Americans, who will in a few moments provide an EEO Advisory Committee perspective.

Sam Collins, Director of the Office of Nuclear Reactor Regulation.

Pat Norry, who is my Deputy for Management Services.

Irene Little, Director of the Office of Small Business and Civil Rights.

And Paul Bird, Director of our Office of Human Resources.

Also participating in the briefing and seated just behind me in the first row are David Solorio, who is the Co-chair of the Hispanic Employment Program Advisory Committee; Mike Marshall, who is the Co-chair of the African American Advisory Committee; Amy Snyder, who is the Chair of the Federal Women's Program Advisory Committee; and Buck Ibrahim, who is Co-chair of the Committee on Age Discrimination.

Also joining us is Dale Yielding of the National Treasury Employees Union.

I'd like to begin my report by saying that we in NRC management remain committed to carrying out an effective EEO program, and we continue to seek ways to solicit employee input and to enhance our own accountability in this area.

I want to discuss just briefly some of the things that we have done since our last meeting with the Commission in February and reflect on some of the progress that I think we have made in the overall EEO Program.

I am happy to report that we have completed action to insure that every manager and supervisor in the agency has an EEO sub-element in their elements and standards currently. This provides, we believe, a uniform way to evaluate the progress in the EEO Program and to recognize managers who are doing innovative things in their organizations.

The feedback that I've received from Pat and Irene, based on their review of SES evaluations thus far, is that the rating officials are doing a pretty good job in addressing EEO accomplishments in the evaluations.

During our April 11th, 2002, senior management meeting, I dedicated a special session to discuss a number of topics, including communication, employee development, feedback to employees, EEO expectations, and general management accountability.

I believe this session reaffirmed to the agency's top leadership that achieving our EEO goals is an integral part of achieving our overall mission goals.

While we recognize the challenge of making further progress in our EEO goals, I want to take a moment to reflect on some of the successes of our EEO programs and take this opportunity to thank our managers and staff employees for working together really to get the agency to the point we're at.

I am pleased by the success we have seen, especially over the past five years. Some notable examples include entry level hiring efforts which have yielded a large group of highly qualified employees from diverse backgrounds.

As a result, representation in each minority group in the work force has kept pace with the agency's growth.

Representation of Hispanics in the work force and in professional positions has doubled. The number of Asian employees in supervisory positions has increased somewhat, from about 4.5 percent to a little over five percent. Trending data shows that white women in supervisory positions increased steadily from about 12 percent to about 15 percent.

Additionally, our alternate dispute resolution process is increasingly being used to resolve allegations of discrimination in what we like to call a win-win environment. It has also resulted in cost savings to the agency.

Success in our EEO Program has been recognized by our employees and by the broader federal community. Our employees through the EEO Advisory Committees have identified and recognized several managers and employees for their contributions to the agency's EEO program.

And just two examples of that are Ashok Thadani, the Director of the Office of Regulatory Research, who was recognized by the Hispanic community in 2002, and early this month Luis Reyes, Regional Administrator, Region II, was the recipient of an EEO award for his efforts in recruiting Hispanics for federal employment.

Again, despite the progress the agency has made, we still face challenges in maintaining and enhancing our EEO Program. Two of our greatest challenges are retaining the breadth and depth of our technical knowledge base as members of our more experienced work force retire or move on to other assignments and, secondly, maintaining diversity within the SES ranks.

Pat and Irene are going to address some of the strategies that we are using to pursue in assisting the agency in meeting these challenges.

Before I turn the meeting over to Pat, I'd just like to mention that Irene has indicated that she will be retiring in January, and this will be her last meeting with us at the semiannual EEO Commission meetings. I'd certainly like to recognize the significant contributions that Irene has made to the agency both here at Headquarters, and previously in Region III.

Noteworthy, this year Irene is also the recipient of the Presidential Meritorious Rank Award. We hope you'll be joining us for the annual work ceremony, Irene.

MS. LITTLE: Yes.

MR. TRAVERS: And now let me turn the meeting over to Pat.

MS. NORRY: Thanks, Bill.

First I'd like to echo Bill's statement about management commitment. We see continuing evidence that management is committed to an effective EEO Program, and we're finding more and more that employees have very good ideas for how we can achieve some of our specific EEO goals.

So I'd like to talk briefly about some of the initiatives that we've worked on in the last six months, but first I wanted to highlight several issues from the last SRM from our February briefing.

Staff was asked to examine how the federally mandated competitive sourcing initiative might impact diversity on the agency. As you know, as part of the President's management agenda, OMB is requiring federal agencies to complete public-private competitions or direct conversions on 15 percent by '03 of positions that have been identified as commercial type positions.

And we have accomplished the fiscal year '02 goal, which was 26 positions, which was largely accomplished through the conversion of positions that were vacated.

The impact of diversity on our work force will have to be a large consideration as we look at how we are going to accomplish our '03 goals because that would involve 52 positions, and there is a group representing the entire agency that is studying this now and is going to be making recommendations on how to accomplish this goal. And we will be watching this issue particularly as they go along.

Secondly, we were asked to examine ways to assist managers in nurturing new employees. In response to that request, we developed some written guidance that goes to managers and supervisors as they hire new employees, and it's included in the Nuclear Safety Internal Program manual, which is used by intern mentors.

And the Director of HR has advised office directors and regional administrators that performance appraisals of SES managers should address accomplishments in this area, particularly how they help new employees to become acclimated.

Third, staff was asked to determine if waste fund monies could be used to fund the Historically Black Colleges and Universities Program in support of students and faculty working at the Center for Nuclear Waste Regulatory Analysis. This is a real success story.

We were able to modify the interagency agreement, obligate \$20,000, and we're in the process of posting students at the center. And this effort will be continued in the following year.

A few other efforts are certainly worth mentioning. We convened a team of employees from Irene's office and Paul's office to meet, to work with members, actually volunteers, from Asian, African American, and Hispanic groups who were interested in talking about how certain obstacles could be overcome in the advancement of minorities in the agency.

And we wanted to get their input and to develop some strategies for addressing these issues. We talked about focused recruitment. We talked about upper mobility. We talked about mentoring and rotations, and as well as other subjects that were of specific interest to specific groups.

We then established action plans to focus on specific initiatives, and some of the examples of initiatives that were identified were to encourage managers and senior staff to serve as mentors to employees in these groups so that career advice could be provided and guidance and feedback.

One group suggested very strongly -- and this was a developing awareness on our part -- that we needed to do a better job of providing feedback across the board. So it was suggested that training be given because this is not necessarily an inborn skill of managers.

And so a course has now been developed which is specifically designed to train managers in how to use this skill in a better way.

Some of the group members have agreed to be proactive in meeting with management in major program offices, to get information regarding rotational opportunities and to share that information with colleagues. I know that goes on in Sam's office, and you'll probably hear more about that from him.

Group members are going to encourage their colleagues to use IDPs to assist employees in getting them some kind of an organized development track.

We're pretty optimistic that if we follow through, and there's a lot of enthusiasm in these groups to follow through, that we'll be able to achieve even more success in our EEO goals.

One of the changes that Bill noted earlier is increasing diversity among our supervisors and managers in the SES ranks. When you graduated 42 members of the Leadership Potential Program, this gave us a really good core of candidates trained and eligible for assignments to supervisory positions, and these graduates, as you probably know, can be assigned noncompetitively to supervisory positions at the same grade.

And they also should be hired competitive for positions at the next grade because of their leadership training.

But the current pipeline for SES positions is not very diverse. The leadership potential graduates will certainly feed into this program in the future, but that won't be enough to prevent minority under representation in the SES corps.

So we are certainly aware of that as a major challenge. We are encouraging our managers to do their part to reemphasize the IDP process, to be aware of the availability of all candidates and all people who could or should be, for instance, rotated into different positions, to better train them for the future.

All of that is an awareness issue so that can get on a structured development path, and managers are expected to encourage and facilitate rotations and developmental assignments of all employees, and we will continue the SES candidate development program on a recurring basis as new graduates are placed in SES positions.

And finally, I'd like to acknowledge the continuing efforts of the ERB/EEO Committee, which was formed actually how many years ago? It's been at least ten years, and it continues and is charged by Margaret Federline, and its purpose is to raise awareness to office directors and regional administrators of the availability of highly qualified women and minority candidates.

They're looking now at the '02 data to determine the trends in selections, and they do more than that. They look at criteria, whether the criteria for the position had been properly described, that kind of thing.

So it's a very active group, and they continue. They have a lot of energy and are doing a good job.

And so now I'd like to ask Irene Little to highlight some additional EEO achievements and strategies.

Irene.

MS. LITTLE: Thank you, Pat.

Before I make my remarks, I would like to offer Ujagar Bhachu the opportunity to make a statement on behalf of the EEO Advisory Committees.

MR. BHACHU: Yes. Good afternoon, Chairman Meserve, Commissioners, directors, managers, and the staff. Thank you, Equal Employment Opportunity Advisory Committees and the Office of Small Business and Civil Rights, for your dedicated commitment, hard work, and valuable contribution to the agency's Equal Employment Opportunity Program.

As reflected in the joint statement provided to you, the Advisory Committees have five recommendations for addressing significant equal employment opportunity issues, and they are:

Increase minority representation at the supervisory and SES levels;

Continue targeted recruitment effort for minority groups;

Insure that performance appraisals hold managers and supervisors accountable for successful implementation of NRC's Equal Employment Opportunity Program;

Insure fairness in performance appraisals, retention, assignment, awards, and promotions for all staff, including those at age 50 and over;

Continue to foster a family friendly work place.

The Office of Human Resources has taken some positive actions to enhance targeted recruitment of minorities. This effort needs to be continued and reinforced through close collaborations with appropriate colleges and universities to foster short and long-term relationships for recruitment purposes.

Enhanced retention of qualified employees. We much contribute an environment and corporate culture that makes new employees welcome and makes them functional to their full potential in the shortest space of time.

This will require managers and supervisors to exert additional efforts to put in place planning and willingness to supply sustained support for development.

To increase minority representation at all levels, particularly at the supervisory and SES levels, the agency has given managers a tool kit. This kit includes powerful, exotic tools, for example, the NBMSS diversity panel, empowerment initiative, government programs, mentoring, retention, rewards, recognition, and merit staffing system.

However, managers and supervisors need to use these tools wisely and in a fair and equitable manner in accordance with the instructions provided in the agency established directives, policies, and procedures.

In this world at large, it is stark reality that ageism, sexism, and racism are alive and doing well. However, the existence of the NRC Equal Employment Opportunity Program and the support of senior management for its implementation, including attendance at this meeting, confirms the agency's resolve to maintain a discrimination free work place.

It is this high level resolve that forms a firm foundation for building a world class work force for the agency, a diverse work force with a spectrum of talents and skills which has a promise to maximize the organizational performance and foster greater effectiveness in actualizing the NRC's vision, values, and mission.

As an agency, we know what to do. We can do it. Actually we have been doing it.

Furthermore, the Advisory Committees believe that we need to do more of it and better still. The Advisory Committees remain confident that together we can do it more effectively.

Thank you, ladies and gentlemen.

MS. LITTLE: Thank you, Ujagar.

I want to begin my remarks by saying that the overall status of the agency's EEO Program is good and on a path of steady improvement.

Dr. Travers discussed management commitment and management accountability, two elements that are a requisite foundation for a viable EEO Program.

Ms. Norry discussed her personal role for soliciting employee input on designing strategies for improvement based on this input.

Employee input is a key element of any progressive EEO program. I will highlight several ongoing initiatives, the spokes in the wheel, if you will, that help to make an EEO program run smoothly.

If we are to have an EEO Program that supports diversity in the work force, we must have an effective recruitment program. And NRC's recruitment program is easily characterized as a best practice.

During FY 2002, our recruitment efforts resulted in a total of 243 employees hired. Forty-seven of those employees, or 19 percent, were African Americans. Nineteen, or eight percents, were Asians. Thirty, or 12 percent, were Hispanics. One was Native American. Fifty-five, or 23 percent, were white females, and 91, or 37 percent, were white males.

Our recruitment program works, and its outcomes have consistently identified pools of candidates that are highly qualified and highly diverse.

Our cooperative education and summer intern programs are useful pipelines to feed into our interlevel recruiting efforts.

During fiscal year 2002, co-op program participation increased from eight to 13, and this included ten minorities and three white women.

A total of 80 students and faculty were hired as summer interns. Thirty-two were minorities and 48 were white.

We are working aggressively with colleges and universities to increase student participation in both the co-op and the summer intern program.

A third spoke in this wheel is our efforts to enhance employee retention. We are emphasizing a number of mentoring initiatives, including rotational assignments, coaching and mentoring of employees to improve their potential for career advancement.

During fiscal year 2002, my office sponsored three mentoring training sessions. One session was specifically designed for intern employees and their supervisors. That session was presented to the NRR interns.

A session is scheduled for November -- that's starting tomorrow -- by the NMSS interns.

Also during fiscal year 2002, the number of employees participating in formal mentoring relationships increased from 98 to 151.

In conjunction with the Office of Human Resources, we are renewing our efforts to assist employees in preparing resumes, in preparing individual development plans, and individual training plans. We want to encourage employees to focus on not only short-term, but also long-term career development.

Providing appropriate training for managers to develop and sharpen their management skills is another spoke in the wheel of a viable EEO program, and we are providing appropriate and up-to-date training for our managers.

The basic EEO course for managers and supervisors has been revised and updated, and since the beginning of the second quarter of fiscal year 2002, we have presented four sessions of that training. Thirteen additional sessions have already been scheduled for 2003.

This course provides information for managers on current EEO laws, managing diversity, and the EEO complaint process, including information on our alternate dispute resolution process.

The Office of Human Resources has also developed a course to assist managers in enhancing their skills for providing feedback to employees. Several sessions of this course have been presented, and several sessions will be scheduled in the future.

Appropriate and timely feedback to employees is critical to employee development and retention.

Our manager diversity initiative is ongoing. The Office of Small Business and Civil Rights has continued to provide office specific follow-up to management diversity sessions. The purpose of these sessions is to foster ongoing dialogue between managers and staff.

The goal of managing diversity is to create a positive work environment which encourages and appreciates diverse employee perspectives and minimizes the potential for conflict in the work place.

Another element of a viable EEO Program is implementing a process that effectively resolves conflicts in the work place, and that's the EEO complaint process, which includes mediation as an alternate dispute resolution method.

My office, working with the Office of Human Resources and the Office of General Counsel, has facilitated increased use of the ADR process for resolving allegations of discrimination quickly and at the lowest possible level in the organization. We are pleased with the impact of ADR on our complaint activity.

I want to take a few minutes now to briefly review for you our EEO complaint activity since the beginning of fiscal year 2002. At the end of fiscal year 2001, we had in our backlog five informal EEO allegations and 21 formal EEO complaints.

From the beginning of 2002 to date, 36 informal allegations and 17 formal complaints were filed. During that same period, we closed 38 informal allegations and 18 formal complaints.

As of today, we have in our backlog three informal allegations and 20 formal complaints. Seven of the 20 formal complaints are pending hearing or decision by an Administrative Judge at the Equal Employment Opportunity Commission. Two of the 20 complaints are pending mediation.

We are engaged in informal settlement discussions on two others, and the remaining nine complaints are at various stages in the process.

Of the 56 cases that we have closed since the beginning of fiscal year 2002, 11 of these cases were closed with settlement agreements. That's a good statistic. Five of the 11 cases were settled through the alternate dispute resolution process.

With the cooperation of the Office of Human Resources and the Office of General Counsel, our case management, including the alternate dispute resolution portion, has been effective.

And finally, another spoke in the wheel of a viable EEO Program is understanding where the challenges are and working to overcome them. We are aware that there are many areas where improvement is needed.

Dr. Travers alluded to the agency's under representation of minorities in supervisory, managerial, and SES positions.

Ms. Norry discussed some of the strategies the agency is employing to address these challenges.

I want to add two items to this list. We have the challenge of assisting some of our long time employees, especially minorities and older employees, in taking on broader, more visible work assignments and enhancing their careers within the agency.

Secondly, we must take steps to institutionalize the EEO strategies that have proven to be successful, while at the same time focusing on strategies to improve in those areas where improvement is needed.

I am confident that we have the wherewithal to continue our path of success. We have the commitment of the leadership, and we have an effective management tool in the SES sub-element and supervisory sub-element in the performance appraisals.

We have senior management involvement in numerous ways, some of which have been discussed this afternoon. We have employee and employee groups systematically involved in identifying issues and recommending strategies. We have several progressive strategies in place, and we are continuously looking for best practices to improve what we do and the way we do it.

We continue to conduct self- assessments and monitor our progress not only in these semiannual briefings with you, but also in more informal ways.

As we work together toward our common goal of equal employment opportunity for all, I suggest we keep in mind that success is not measured by a specific destination, but by the quality of our day-to-day interactions with each other and the decisions we make with regards to our mission.

I challenge each supervisor, manager, and leader in this agency to model the behavior that they would like to see in their own superiors, and I am sure that behavior will demonstrate an understanding of employee weaknesses and acceptance of employee differences and an appreciation of the contribution of all employees.

Thank you.

MS. NORRY: Thank you, Irene.

And now we'll hear from Sam Collins.

MR. COLLINS: Thank you, Pat.

Good afternoon, Commissioners, Chairman. I'm pleased to be here to address the Commission on the topic that's very important to the Office of Nuclear Reactor Regulations.

I'd like to acknowledge the retirement of Irene and Irene's guidance in the past, and we will surely miss her. She's a voice in the background of every meeting we have on human resources as she gently reminds us of our priorities and our goals.

And I wish you well in the future.

MS. LITTLE: Thank you.

MR. COLLINS: I'm here to present a cautiously half-full story from the Office of NRR. I think given our recent technical challenges that we all wrestle with day to day, this is an opportunity to reflect on a resource we have, the wealth and the richness of our staff, and celebrate successes while acknowledging challenges in that area.

Clearly, the success of the agency is a product of the staff. Our role is to provide access for that, and that includes the initiatives in this area of the topic today.

Since I last addressed the Commission in 1998, we in the Office of NRR have taken several new activities underway and have enhanced those that we believe have been successful in the past.

We do have challenges, however. In today's job market, the ability to attract highly qualified, experienced people is a challenge, particularly in those areas where the expertise is in demand with our stakeholders, including our licensees.

We have tools available to us, however, to address those challenges, and I believe we're making some successes, although that will not be a short-term effort.

We strongly encourage diversity training as was mentioned by Irene. We have healthy debates in the sessions with Barbara Williams, acknowledging and defining what diversity is and what diversity is not, but I think that those are constructive, and we learn from those. And I look forward to those in the future also.

We have a very active team in the Office of Nuclear Reactor Regulations. Each of the executive team members sponsors one or more EEO Advisory Committees. They're very active in the interview and recruitment job, and we are dedicated to the processes in the Office of NRR being successful to achieve our goals.

Some of the specifics in the Office of NRR is we have approximately 580 full-time employees. Twenty-eight percent of those are minorities. Fifteen percent are other than white females, and our work force by race and ethnicity and gender is captured in a table. That's the talking point paper that's provided today. I won't go over that in detail.

It's important to note that since fiscal year 2000, NRR has increased our representation in all minority groups. Specifically the

Asian-Pacific Americans are now at 16 percent level, the highest in the agency, and our Hispanic recruitment has nearly doubled, acknowledging the efforts of Luis Reyes and others to provide a forum for that to take place.

I'd like to speak briefly of the challenges. Increasing the representation of women, particularly in the higher level positions; continuing our progress with the Hispanic community; establishing sustained progress with the African American community; and initiating an entry level pipeline for the Asian-Pacific group.

We're competing with others for specific technical expertise, as I mentioned. We had some recent challenges in the area of materials, where we were not able to achieve our goals in recruiting in that area, and I think that's a good example where we have to be more inventive, if you will, or more aggressive in pursuing that expertise.

Irene mentioned the ADR and EEO complaint resolution process. We are completely dedicated to that. We have to maintain a balance between individual rights in the process and the ability to manage the organization. That's always a tension, and I think it's a healthy tension, that we work with day to day.

As Barbara would indicate, the handling of DPOs and DPVs is also an indication, if you will, of diversity in the form of diverse opinions, and through Bill's efforts, we have performed a review of that process, and I believe that we are making progress in that area, too.

We received five DPVs in the Office of Nuclear Reactor Regulations in fiscal year '02.

Lastly, the challenge is defining success, and as Irene mentioned, there are various ways to measure, if you will, our progress and success in these areas, and I align with Irene's talk that we're on a path and we'll be on that path for as long as we're here managing the organization.

We can define success, however, in terms of relative comparisons in many ways, and I believe right now the Office of NRR, in concert with the strategic plan, is measuring ourselves and the operating plan against the group statistics within the NRC.

And currently we're comparing ourselves with the group statistics in Montgomery County just to be sure that we have balance in those areas.

There are areas in the strategic plan that cascade through the corporate strategies area, that move through the operating plan for the office due to various measures in the Office of NRR. That includes retention; it includes recruitment; and it includes comparing ourselves on the office level with the agency goals.

And I'm looking into the specifics in the area of hiring policies and practices. Our managers and technical staff have continued to aggressively recruit highly qualified women and minorities. Examples of that would be recruiting in a number of universities.

The University of Puerto Rico is an example. We recently returned. Marcia Gambrione was there representing the office. We made seven offers at the University of Puerto Rico, two mechanical engineers, three electrical, and two civil engineers.

Florida A&M University, we have visited that university in concert with sponsorship from Region II; North Carolina A&T; and Penn State.

Twenty-two of our managers and staff have participated in recruitment events to date.

We have attended professional minority conferences and planned events, and 38 managers in the Office of Nuclear Reactor Regulation have participated in those activities. And as I mentioned, our executive team has participated in numerous of those trips.

One of our flagship programs is the NRR intern program, and I think we have some of our interns here today. Interns bring not only diversity into our program, but they bring a form of energy which is very, very stimulating, and that cascades all the way through the organization.

We are very pleased and very proud of our intern program, and I look for the continued success of those individuals, and if we point to the rising levels in the organization of NRR today, including the leadership potential program and those development programs, we can point to a number of those candidates who have had the benefit of initiating their careers through the intern program. It's a key tool in producing a highly qualified, diverse work force, and it continues to be an effective recruitment incentive for graduates and students.

I'd like to acknowledge at this time also the participation of two of our staff members, Kim Jones and Bonita Cook in tracking the intern program and working with the Office of HR in defining the goals and the strategies for the intern, including the intern training program.

Since fiscal year 2001, the NRR internal program restart, we calibrate ourselves, benchmark at that year. We've hired 29 interns. We have eight in the class of 2003 and 21 in the class of 2004, which are graduating years, of which 34 percent are white males, 41 percent are Hispanic, 17 percent are African Americans, and seven percent are white females.

We did a quick run-through on the retention of interns, and I thank Mike Case and his staff for doing that on my way down here, and we have about a 50 percent acceptance rate for the hiring of interns, and approximately two thirds of those interns stay with us after the first five to seven years, which is when they complete the intern program and complete the orientation and go into the full performance level.

So it is a very successful program, and by carefully managing the recruitment in that area, we appear to be retaining the individuals and their expertise.

And our summer hire program is another area that we look at in a cascading way. We look at the summer hire program as a feeder pool for the intern program. The ability to retain co-op students in the summer hire program captures, if you will, individuals within the walls. It introduces them to our programs. It creates an excitement for them and the ability to demonstrate their capabilities.

It also provides us an insight into the origin of these individuals as far as which university or which entity they arrive from, and end up with a dialogue with those schools, and we end up taking advantage of their programs.

We have recently hired a co-op student from the University of Maryland who is going to be helping us with our Quality Management Program, which is a cutting edge program at the University of Maryland, and she will be introducing those programs to us and using us as a case study. So we have that type of synergism.

During fiscal year 2002, NRR hired 11 students from various colleges and universities, and the demographic mix of the 2002 summer hires include 45 percent white males, 18 percent white females, 18 percent Asian-Pacific Americans, 18 percent African Americans, and two former summer hires who are now interns.

So we're achieving with some history the balance between the types of groups that we would like to target, as well as providing for the expertise that we need to move forward as a continuing learning type of organization.

We like to bridge opportunities through upward mobility, and what the Upward Mobility Program does is to afford us to introduce existing staff to new and different types of challenges, and specifically provide for the transition from the clerical field to the administrative positions.

We have a number of highly talented individuals in those areas, and there are levels and blocks within the organizational structure which without these bridge opportunities would create artificial caps in those individuals' ability to participate and to contribute to the success of the organization.

Areas of budget planning, human resources, work planning are all opportunities for individuals to transition from the clerical field to the administrative positions, and some of the tools we're using are the posting of licensing assistant positions as career ladder positions starting at the GG-7 level and also providing for upward mobility types of positions.

In the area of minority and women's representation in supervisory and management ranks, that area has been mentioned previously by the speakers as a challenge for us. It continues to be. However, we do have some successes of note.

Since 1998, minority women representation in the supervisory and management ranks has increased from 14 percent to 27 percent. The most significant increase in this area was in the Asian-Pacific American group, which increased from four to seven individuals.

Despite these successes, this area remains a significant challenge for us. It's a focus area for the leadership potential program and the SES candidate development programs, as was mentioned by Pat, and it will be a focus in the future.

And also six minorities were promoted to section chief positions during this period. So also we're making progress in the initial first level supervisory ranks, which is the feeder group for the SES candidate development program.

Pat mentioned the rotational assignments, and I thank her for that. We're encouraging staff to participate in career developmental rotations.

We receive feedback from the staff as a result of a poll of the staff of the inability of the staff to achieve rotations because of the tension with getting work done.

We believe that working with the levels of the organization that that's more or less of an artificial constraint; that by funding rotations, which we have done at the benefit of input from the leadership team, we have created one FTE within each division, and that FTE is not filled. That FTE is there for the purposes of providing for a rotation within that division.

So we manage the work on the basis that we'll always have one vacancy, and that vacancy will allow someone to be somewhere else within the organization or with the NRC, providing for developmental opportunities.

In fiscal year 2002, more than ten percent of the NRR staff participated in rotational assignments. That's quite a number of staff plugged in and applied at any specific time.

However, experience is that there are benefits to that, and you actually derive work and a greater level and a greater quality of work as a result of people being stimulated by rotations and being exposed to different types of work, and that allows them also to apply for different work that they've had experience, too.

We have found that by tracking rotations formally and creating a standard form that people can apply that has to be articulated, that the benefits have to be described, that supervisory and management people have to sign off to; we create a process by which rotations are possible. They're tracked, and we can track the benefit of that.

The mentoring program was noted. I have the benefit of mentoring two individuals who are currently in the SES candidate development program. Again, that's a very rewarding experience for me. I have insights into the levels of the organization that way.

We also have the ability to support the candidate development program and to steer individuals through their decision makings in their careers.

One of my personal experiences is that the greatest value that we have here is developing people and watching them rise through the organization and contribute to the organization and become the future leaders and become the contributors at any level in the organization that makes successful.

The agency's mentoring program has been incorporated as a key component of the NRR intern program. I've introduced two sessions of that, and the contractor that we have hired to provide that service does a very good job, and I thank the Office of Small Business and Civil Rights for providing that service.

Almost every NRR SES manager has participated as a mentor for the NRR program, and I'd be remiss if I didn't mention Tad Marsh, who is the father, so to speak, of the current intern program, and if you were to go to his office, you would see a plaque that has been hung, and it's called "Tad, the Dad," because Tad ends up mentoring many of our young people who come into the organization who are in Washington for the first time and may or may not be away from their families in the educational structure, and there's more to it than just work.

And I thank Tad and his team for contributing to those, even to the basics of finding where to shop and how to shop in transportation and where to live and some of those basic essentials to make the intern program successful.

The Flexiplace Program is part of our support for providing for a work place as desirable and for the retention of our individuals. NRR considers ourselves a leader in that program. We have over 400 employees who are eligible to participate in that program in coordination with HR and LMPC.

And I'd also like to acknowledge the benefit of coordinating with our union partners in these programs. We've developed guidance to help supervisors for expanded participation in this program.

Currently 53 employees, approximately ten percent of our staff, participate in this program, including project based Flexiplace option for supervisors and others who have specific work tasks.

Let me talk just briefly about retention. I had the opportunity this afternoon to give 35 year pins to Mary King and Pam Faust, two longstanding employees and contributors to our program. While at the same time I gave a retirement plaque to Sing Bajwa, who's retiring after 34 years.

So that demonstrates our ability to retain individuals. A 34, 35 year retention in career within the NRC, I believe, is something to be proud of.

Our attrition is a little over what we budgeted. We track that through our operating plan. We're about 15 percent above where we were. Those numbers are about 60. We estimated about 52. We estimate losing about two people per pay period, and we're a little bit above that.

Diversity awareness. We work closely with Small Business and Civil Rights vigorously to manage and providing for diversity sessions for our staff. The majority of NRR staff will have been in the training sessions by completion of the next session in early November, and we believe that's a good way to enhance staff awareness and encourage commitment to aid and maintain a positive work environment in NRR.

Our executive team initiatives include, as I mentioned, points of contacts for the EEO Advisory Committees, meeting on a regular basis with those Advisory Committees, providing for the focus for recruitment, and a very powerful tool that we've worked out with Lynn Carlson and others on the ability to hire at the recruitment center.

That takes some coordination. We believe a new recruitment tool and the tool that we have to provide for individuals to apply on line aids in that process. There are some barriers we're working through, as with any new process, but clearly it's an improvement, and our ability to hire on the spot is a very powerful tool as it's proving out.

This approach has resulted in significant improved communication, both internally and with the committees and with our hirees. We have a recent example of an outreach program to a historically black college and university. That's the Howard University, and we have sponsored a science and engineering facility open house for them, and that's to take place tomorrow, November 1st, and Brian Sheron is the sponsor for that.

Briefly, in communications we mentioned the performance appraisals. We mentioned feedback on selections for positions within the agency. Interview skills, our tool to be used in that regard. The quality of application packages is a continual area of focus for us.

Feedback on performance at the midyear and at the final appraisals is a continual challenge for us.

Inviting employees to participate in discussions on performance expectations is important and reconciling those expectations in a "go forward" sense to insure that we're aligned on providing skill, will, and access to our employees.

Access is management's role. Skill is providing the right position, and will is the employee's bringing the will to provide for the job being done successfully.

The first of those is access, and that's insuring that any individual is being provided the opportunity to be successful, and that's the challenge that we have through our levels of management and supervisory organizations.

Our NRR initiative activities to improve communications include the weekly newsletter that's being provided to our employees. We electronically transmit that to all of our staff.

We have electronic message boards on our floors. We continually change those messages to celebrate successes.

We have organized retreats at various levels throughout the organization, and we have the all supervisors meetings on an ad hoc basis.

We are also providing for panel discussions for our interns. We're having one of those in the short term on the Davis-Besse area in November 15th, and that includes the lessons learned task force, and Ed Hackett is going to provide support for that.

Lastly, let me just acknowledge that we take this seriously. We hold ourselves accountable. That was mentioned in the discussion.

We do have tracking that links back to the operating plans and to the strategic plan. We have other standard conditions that we monitor and that we analyze in the Office of NRR, and we're very serious about the retention of our very valued, experienced individuals. That is an untapped resource for training and mentoring that we're approaching in order to provide for the transition for work experience and the ability to provide for a broad view of the goals throughout the agency to our new employees.

We track hiring. We track accomplishments. We do that quarterly, and we have amended the section chief appraisals, some in 2002, but all in 2003.

As Pat mentioned, element number one tracks EEO and diversity initiatives, and clearly the SES appraisals were revised last year to provide for that, and the Performance Review Board tracks accountability for that.

In conclusion and in summary, let me acknowledge that I have noted many challenges in these areas, but I would like to also be able to celebrate the successes. We're very proud of our staff. We're proud of what our staff has accomplished, and we know that with this staff in the future, we'll continue to serve the goals of the strategic plan in the Office of the NRC appropriately.

And we look forward to those challenges and working with Irene and her staff in moving forward as an organization.

Thank you.

MR. TRAVERS: Thanks, Sam.

Mr. Chairman, that completes our briefing this afternoon.

CHAIRMAN MESERVE: I'd like to thank you all for a very helpful briefing.

In recognition of the fact that some of my colleagues may have to depart, let me turn to Commissioner Dicus first and then go to Commissioner Merrifield so that they will have a chance to ask a few questions before they have to leave.

COMMISSIONER DICUS: Okay. Last year, Ms. Little, I had asked you about the diversity contractor that we had brought on board to help with the issue, and I noted in my comment that that person or the contractor had been acquired rather recently, and perhaps you have not had an idea to talk about what had been accomplished.

But I warned you I'd probably ask again in six months. So it's six months down the line. So how is that working and what are you

doing?

And particularly, you might want to address with me if there's information to share on this issue of out-sourcing and how this may affect our diversity and whether this is part of what this person is looking at of people.

MS. LITTLE: The diversity contractor was also hired a few months ago, probably right after or right before the last briefing.

COMMISSIONER DICUS: I think it was just before.

MS. LITTLE: Just before the last briefing, and they're working directly with NMSS, and I think that if we were to talk to the employees in NMSS, we would hear a real success story.

It is still too soon to evaluate what the outcome will be because there's an ongoing type initiative. I'm going to turn to Barbara in just a second because she works closely with the diversity contractor, but there is a basic diversity panel, and they work through issues in NMSS, and I know that they've had several sessions.

Barbara, is there anything else I should add to that?

MS. WILLIAMS: You can add a little bit to that, Marty, if you have a problem. You can.

They do have a diversity panel, and that panel was in place for about a year, and new members have come on now, going into the second part of the year, and that panel tries to address a lot of issues that employees bring to their table as it relates to operating procedures within the Office of Relations and Communications.

They have worked on mission and value statements, and they have come up with some new phase to address in that area. I know they've worked on communication plans, and I think at the last retreat recently at NMSS, that was presented to the leadership team and executive team.

So they are working on quite a few things, and the feedback that we've gotten from employees that employees feel much better about the overall environment within NMSS.

Marty, do you want to? Does that kind of cover it?

So we will continue, and we will be giving some progress with that so that hopefully other offices can pattern themselves after and possibly address some of their office specific diversity needs as well.

COMMISSIONER DICUS: Okay. Thank you.

MS. LITTLE: Let me just add that they're not looking at the out-sourcing issue. That is something that is more centrally controlled. That is not one of the things they're looking at.

COMMISSIONER DICUS: Okay. Thank you.

CHAIRMAN MESERVE: Commissioner Merrifield.

COMMISSIONER MERRIFIELD: Thank you, Mr. Chairman, and I regret I will be having to leave after this, and I apologize. I had a previous commitment that has taken me away from that, but I don't want anyone to think that lessens the commitment I have for continued progress in this regard.

I actually, given the time, I actually have three comments I want to make rather than putting them in the form of questions, although if people want to respond, they can.

I noted the comments that Sam Collins made about the glass being half full and not half empty, and I agree with that sentiment. I think looking at the materials we were provided today, I think one might characterize it as forward progress that is somewhat uneven.

The one comment I want to make, as was pointed out today, we have not made the progress in the pipeline as it relates to the SES candidate development program that I think all of us might have wanted a year or two ago, but I think the positive aspect that has been underlying today is the significant forward momentum as it relates to the leadership potential program.

And I think my comment on this is that that group was, indeed, very diverse. I think it's positive that we're placing those individuals in positions where they may acquire additional leadership positions and may hopefully be selected for the next round of our SES candidate development program.

And I think to the extent that we can continue to nurture those individuals in a follow-up group, in a follow-up leadership potential

program, we will, indeed, get where we need to be on a pipeline for future SES candidate development program rounds.

The second comment I would make would be relative to NER. As many know, that has been a pet favorite of mine. I want to recognize the significant progress that's been made on that. It really does seem to be the win-win that Irene has spoken about, and so I appreciate the strong commitment that you and the folks in the Office of Small Business have made in that area.

The final comment I would want to make -- and I was amused by the comment that Irene made about employee retention, where we seem to be making significant progress, except when it comes to Irene -- and so I do want to, although we will have many opportunities over the course of the next two months to tell you how much we will miss you, I would not want to miss the opportunity to recognize here the significant accomplishments you've made in the position.

And you certainly are the driving force for much of the progress we have made over the years, and hopefully you have put in place a program that will continue as a legacy.

COMMISSIONER DIAZ: Well, I probably have a couple of comments. First, I noticed that there are two competing things in here that everybody mentioned one was the issue of challenges, and the other is the measure of success. And I would just like to state that finding a good challenge is a mini-success, retiring it as a challenge is full success. That's certainly a way of doing it.

In that vein, I think I would like to issue a challenge, how can we keep Irene from retiring?

(Laughter.)

PARTICIPANT: We're working on it.

COMMISSIONER DIAZ: I do want to tell you that personally I appreciate your work and I think we will miss you, and we want to try to see how we can find an EEO rule to keep you here. You've been very good.

I think we all agree, and I'm not speaking for everybody, but I do want to make the statement that there's been significant progress in many areas since I joined the Commission. And I think we also, all of us, have begun to really realize the importance of diversity within diversity. And that's an important issue because diversity by itself doesn't tell you all that you want to know, the diversity within the diversity, that actually allows you to focus on what other challenges that can be retired and those that remain.

Many of these activities in EEO we can overlook some groups, but we need to make sure that they're all considered, because the diversity, we think that diversity is important. And although emphasize many times those areas that have been of need, and I realize tremendous effort was put into the hiding of Hispanic, which was really a bad-looking area in our statistics, we also want to emphasize that we need to look at everybody, because that diversity within diversity is what makes us strong, what makes our fabric looking very, very complete.

We need to also try to when we hire, which has been a major improvement, we need to keep hiring the best people we can find. Highly competent people will solve the issues down the pike on the SESs. When we hire the best people that we can find, trying very hard for it, it would actually make those longer efforts to create managers and SESs easier. And so I want to emphasize that effort.

Having said that, this is -- I always like to come with some questions. Let's see, when you're talking about retaining employees, and it's an issue that is extremely important to us, I noticed that the number of employees participating in mentoring increased, you said, from 98 to 151. That's a tremendous change. What does this do and can we have -- have we considered that challenge as something that we're going to do better or we came up and it's level? What do you attribute the significant improvement in the mentoring?

MS. LITTLE: I think for lack of a better term the marketing of the program. We've been talking a lot about mentoring. We've been encouraging it, and we're conducting mentoring sessions. So employees are a lot more aware of it. Additionally, I meet with all new employees during orientation, and I encourage them very strongly to get a mentor. I do it by asking their supervisor or coming to my office and meeting with Barbara Williams who coordinates the Facilitated Mentoring Program. And we have been getting a lot more business from employees to get mentors.

I think a mentor can do a couple of things, and I say this to employees. A mentor can help a new employee avoid making new employee mistakes by guiding them early on. And a mentor can assist a new employee in new looking at career opportunities early so that by the time they're ready to make a career move they have checked all the boxes and the preparation is in place. So I think we can attribute the numbers a little bit to the way we're talking about the program.

We do not have a successful mechanism for measuring the progress of how many people have mentors and how many are pleased with the outcome of that. We're working to get a contract to do that. We've talked of that.

COMMISSIONER DIAZ: Sam, I believe you mentioned some time ago in another meeting that we had that an effort is being made to not only mentor but to try to put the experiences of those of all who have been in this business for years and are approaching 50 now into those who are just beginning and really might have to carry on the torches. Is that something that has begun problematically or it's just in the areas you're dealing with?

MR. COLLINS: It's a result of two efforts, really: One is the roles and responsibilities effort, and the other is how do we take advantage of the human capital that currently exists.

COMMISSIONER DIAZ: Right.

MR. COLLINS: The Committee on Age Discrimination has talked to us about this for periods of time. They would like to play an active role in transferring information and technology and life experience. And with the Intern Program coming in, we hope to be able to match those two up. It's a part of mentoring but it's really technical expertise and job experience that we're looking for.

COMMISSIONER DIAZ: Right, right. That's what I was trying to -- is the kind of the higher --

MR. BIRD: If I could add to that, we recently had a session involving Sam Walker for all the interns, open to all the interns, to really recount TMI. As you know, there was a recent documentary on TMI, and certainly Sam Walker who was here throughout that period has a perspective on it that was different than some of the presentation in the documentary, and I think that was a successful session organized by my staff but for a broader audience. And I think those things are very, very useful.

MR. COLLINS: The second effort that the Rules and Responsibilities Commissioner has brought to light to us the fact that we have seen individuals who are supervisors and senior individuals who provide for a technical role, same grade. So what we're trying to do is define those roles so that they're complementary, not duplicative and not overly burdensome. And one of those roles for the senior technical staff is providing for coaching and mentoring in their technical field where the supervisor would provide for a different type of coaching and mentoring, and those would be complementary roles.

COMMISSIONER DIAZ: Good. Thank you. Irene, the African-American Advisory Committee has been commenting that the Commission should develop more effective metrics for demographic information to go to the effectiveness of the EEO programs, diversity management and everything else. Would you please address the extent to which we might be able to spend metrics? Is that something that you're working on, is that something that you see feasible in a reasonable period of time to be able to get better metrics on the effectiveness of this program?

MS. LITTLE: I think the most effective general method that we could come up with would be a survey tool, and one of the things we're looking at doing we looked at some of the information that came out of the IG cultural survey some time ago, and we're looking forward to doing a comparison there. Trying to measure EEO success by counting numbers only gets us half there. We, of course, can count EEO complaints, we can count the number of people hired, but I think some of the things I talked about today we've got to factor into it, the qualitative things, do employees feel that they can talk to their management about any issue that comes up, do they feel that they're valued? I think we have to factor those in as well.

There is not a big effort on our part right now to increase the metrics. I think that in our own operating plans and in the operating plans of the offices there is a variety of methods being used by different offices, and while we can look at those, I think that's adequate. I think the outcomes are what we're looking at. If we have a diverse work force and people feel pretty good about what we do, which we can pick up in the survey, that's a measure of our success in this program.

COMMISSIONER DIAZ: Well, I understand, but I think they are concerned whether the metrics are complete or not, and maybe that deserves to have a second look at it.

MS. LITTLE: Maybe that's something we should look at.

COMMISSIONER DIAZ: Right, right. And there's a concern about that. Now, Commissioner Merrifield already referred to the SES, and that's one thing that we have already seen. I don't want to forget another sector of our employees, those who are not in SES programs, who are the managers and supervisors. Are we doing similar types of reviews on how these issues are being addressed and how the reviews that people are getting from them are being addressed? You know, it's a totally different track, not SES's.

MS. LITTLE: Our movement into supervisory positions?

COMMISSIONER DIAZ: Right, right. Movement into management and supervisory positions.

MS. LITTLE: We do track that. We have training data. We have five-year training data on every aspect of an EEO program that you can think of on the work force. We include that.

COMMISSIONER DIAZ: How are we doing diversity-wise?

MS. LITTLE: It's a mixed bag. If you look at the training data right now for the past five years, supervisors and managers, you can see that the Asian employees who have had a real challenge in the past have improved a little bit. But last year we lost three African-American -- the members of African-Americans in supervision is down by three. So it's kind of a mixed bag.

MS. NORRIS: The other aspect that applies, I believe, to your question is that when we mentioned that SES were being trained and were being accounted, had been held accountable for results, that is not just SES, that goes down the supervisory ranks in terms of EEO elements, yes.

CHAIRMAN MESERVE: Thank you, Mr. Chairman. Mr. McGaffigan.

COMMISSIONER McGAFFIGAN: Thank you, Mr. Chairman. I join very briefly in wishing Irene well. My understanding is you're not planning to stay in the area, is that right?

MS. LITTLE: I didn't intend to make this forum to discuss it. I am going to be in the area a while.

COMMISSIONER McGAFFIGAN: Okay. We wish you well.

MS. LITTLE: Thank you.

COMMISSIONER McGAFFIGAN: I'm not going to spend very long because the annual Halloween traffic jam is probably forming on Rockville Pike as we talk here, but I do want to comment that I was clueless at the outcome of the last meeting that we managed to get the Center for Nuclear Waste Regulatory Analysis into the Historically Black College and University Grant Program. I read the other part of the June 30 email with regard to the Adarand decision. I am not a lawyer. I'll only note, and basically the staff's bottom line was that they didn't think that it was time to recommend that we seek legislative authority for funds to program Hispanic-serving institutions.

My recollection, which may be bad, is that in the energy bill, which may or may not emerge from this Congress, there was on the Senate side that encouraged the Department of Energy to work with Hispanic-serving institutions in some sort of way, maybe not passed the Adarand test, if I'm pronouncing that right, but if that provision emerges on the energy bill, I'll probably come back at you again saying, well, Congress is willing to pass these provisions, maybe we should try again. When you have two SES managers who are Hispanic and relatively few people in the civilized positions, I know we're recruiting now, but I think it's pretty clear that it may not be discrimination but the Hispanics are underserved in government and scientific and technical positions, not just at NRC.

And so I am not a lawyer, I have not a clue what the Supreme Court decided in Adarand other than it is obviously is an impediment to what the DOD that exists today which the note says is under court review and probably this DOE program if it's created by the energy bill will be instantaneously under court review. But, I don't know, we have to obey the law, and the Supreme Court is the Supreme Court, so if there isn't a way around it, I'll --

MS. CYR: We'll look at the legislation and certainly if that passes, we'll look and see what the basis was and findings that were made with respect to that legislation and see if there an opportunity for some of the background there to be useful to us.

COMMISSIONER McGAFFIGAN: Thank you. That's all, Mr. Chairman.

CHAIRMAN MESERVE: Thank you. I just have few questions. I wanted to pursue the point that Commissioner Diaz raised about there are other metrics, and there's one that goes into your tracking that you didn't mention. You did have some data about complaints and your progress on that, which I suppose within an ideal world we'd never have any complaints, but we're never going to get -- presumably, human nature being what it is, there will be misunderstandings of some. We're always going to have some but I guess it sounds like we get about 50 a year in the last year that are either dispositioned ultimately as formal or informal. Do you have any sense of how, number one, what is the significance of the number of the complaints, and, secondly, how are we doing as compared with other agencies in terms of compared with the complaints for hired employees or what have you and what are the trends?

MS. LITTLE: Yes, we do. We report on our complaints the number of complaints and the number of resolutions and the ages of the complaints to the Equal Employment Opportunity Commission. And we are on the very lowest tier with numbers of complaints. There are two ways to get EEOC traffic, the larger agencies and the smaller agencies. And I believe the small agencies are agencies with 5,000 employees or fewer. We are in the very lower group of the number of complaints per 100 hundred employees or 1,000 employees or whatever. The numbers are very low. I don't have that particular data here, but we can get that and certainly share that with you, some very specific data.

CHAIRMAN MESERVE: I was just trying to calibrate myself with regard to the information you provided us as to what we should draw from it.

MS. LITTLE: There are a few things that are really important. The money complaints we look at, yes. The number of former complaints is the more important piece because any former complaints are generally resolved before they get into a court or hearing arena. And of course we look at the number that we can resolve through ADR and the number of complaints that are closed without costing the agency any settlement costs, whether it's monetary or non-monetary. And those statistics are very good. We closed 56 complaints and only 11 of them were settlement agreements. That's a very good statistic, but we certainly can provide you with some more specifics on how we compare Monday to Monday without the agencies by our sides.

CHAIRMAN MESERVE: I had only one other question and it was for Sam. In your presentation, you indicated that the petition I guess in '02 was larger than expected, that you expected or planned for 52 and you had 60. Is there any -- is that a trend we should be worrying about, is that -- what conclusion should we draw from that, and do you have any explanation for why the numbers are bigger than expected?

MR. COLLINS: I think HR does exit interviews with the individuals. I'll let Paul speak if he sees any specific trends. It's been a year

of a lot of coming and going between the formulation of NSR and there is a lot of attrition within the NRC as far as people moving back and forth.

CHAIRMAN MESERVE: Well, some of that attrition is moving within NRC.

MR. COLLINS: That number, I think -- yes.

CHAIRMAN MESERVE: Okay. So that --

MR. COLLINS: Well, I'm not sure. It is, Mike? I know we cut it both ways but I forgot which one was which.

CHAIRMAN MESERVE: Our external attrition now has been about the same as it was in previous years, around five percent. Our attrition internal to the Agency about doubled in this year.

MR. COLLINS: And it's mostly because of the formulation of new groups and our ability and willingness to trade with offices' resources.

CHAIRMAN MESERVE: So the number of 60 being bigger than 52 includes the internal movement of people.

MR. COLLINS: That's correct.

CHAIRMAN MESERVE: Okay. Thank you. Well, thank you very much. Before we close out the meeting, we do have representatives from the various advisory groups are here, and I would like to provide them with an opportunity to make statements to us if they choose to do so. Mr. Bhachu, you're at the table, would you like to speak now on behalf of the Asian-Pacific American Advisory Committee?

MR. BHACHU: Greetings, ladies and gentlemen. Thank you for the opportunity to brief you on APAAC concerns and recommendations to address those concerns. We welcome the recent selection of Asian-Americans in the NRC Leadership Retention Program and the 2002 Executive Leadership Program. We believe these are positive steps and will serve to increase the presentation of Asian-Americans into supervisory and management positions.

During the early part of this year, Asian-Americans felt they were not receiving fair attention in entry level hiring and upward mobility in the corporate structure. These concerns were made known at the last Equal Employment Opportunity briefing. Since the last meeting, Asian-Americans have actively engaged in meeting with the EEO office Leadership Team Program offices, Office of Small Business and Civil Rights and Human Resources and other employee groups. The discussion in these meetings focused on strategies for targeted recruitment and enhancement of upward mobility for Asian-Americans and other minorities. These meetings proved to be fruitful and beneficial in reaching a common ground.

We have actively supported target recruitment efforts at selected universities. The most recent initiative is the University of California-Berkeley, and we want to thank the Human Resources, Len Carsely here, for in spite of the fact they are so busy, they have supported us to the hilt in this area, and we also remain faithful to our Office Director, Marty Rigilio for taking the lead and give us support and the other senior staff that are going to go there and make on-the-spot offers.

We believe this initiative has been, and continues to be, a success. However, the major challenge continues to underrepresentation of Asian-Americans in supervisory and senior executive service positions. To address this challenge, APAAC recommends that Agency management increase Asian-American participation in leadership programs and high-profile management assignments and encourage active participation in formal and informal mentoring between SES managers and Asian-Americans. Thank you, ladies and gentlemen, for your time and attention.

CHAIRMAN MESERVE: Thank you. Mr. Solorio?

MR. SOLORIO: Good afternoon, Commissioners. My name is Dave Solorio, and I'm the Co-Chair for the Hispanic Employment Program Advisory Committee. I'd like to thank you for the opportunity to speak to you today. On behalf of HEPAC, I want it recognized that NRC management has made substantial progress in increasing Hispanic representation over the last few years. We believe this continued focus on recruiting, coupled with the Intern Program, will continue to provide positive results. We hope that these successes will continue as the Agency addresses the underrepresentation of Hispanics.

We also feel to ensure long-term success it's even more important now to focus additional attention on retention, because success breeds more success. If people feel they have a rewarding career path, the word will get out. To highlight a point we made in our statement related to retention, as the data shows, the numbers of Hispanics in senior staff, supervisory and management ranks is very low and has been constant going back at least the last seven years. In particular, it's been over 15 years since a Hispanic entered the senior executive service here at the NRC. Hispanics currently only comprise one percent of the SES ranks.

As we've said for several years now, it's very critical that NRC management takes an active role in development staff attempting to enter the senior supervisory and management positions so this long-standing item can be addressed. This also has a secondary benefit of providing more models so that the young staff feel they have a career path here. HEPAC acknowledges that some effort has occurred through the Leadership Retention Program to feed the supervisory ranks, and therefore we hope it will be continued.

However, we know the NRC management has the capacity to expend additional effort needed to develop more senior staff through our supervisory and management ranks. Thanks again for this opportunity to share our recommendations.

CHAIRMAN MESERVE: Thank you. Mr. Marshall.

MR. MARSHALL: Good afternoon. My name is Michael Marshall. I'm Co-Chair of the Advisory Committee for African-Americans. On behalf of ACAA, I'd like to thank you for the opportunity to address the Commission. For the past two years when we've addressed the Commission, our areas of interests have remained largely the same. However, I'd like to say there's been visible progress in each of the areas we work with, SBCR, EDO, in particular Ms. Norry, the individual program offices and H.R.

The areas of emphasis for ACAA is to encourage and enhance African-Americans in SES, non-SES and SLS positions. In particular, though, I'd like to emphasize the SES and SLS positions. Also to make sure there's a good pipeline for that, we're encouraging enhanced representation of African-Americans in what we consider the fetal groups for those, which is your GG-14 and GG-15 positions.

And just working our way down the chain, we also encourage and recommend African-Americans' participation in development programs, again, to help you get to the GG-15, the GG-14s, the supervisory positions, those being the Leadership Retention Program which was brought up today, the SES Program, the Upward Mobility Programs.

And, finally, at the front end of all this is the recruitment which has been a very good success over the last year or two years here at the NRC. I'd like to see continued representation of African-Americans in the recruitment classes.

I would like to take the opportunity here to kind of explain that recommendation we had in our position paper. One benefit I and some other African-Americans that met with Ms. Norry and these groups over the last I think it's been a year and a half now is even though we have visible progress as far as some of the numbers go, sometimes in a lot of these discussions there was still some level of dissatisfaction, and a lot of that had to do with what was mentioned with fair and equitable climate, how some things were implemented.

And we really don't have anything to measure how well we're doing in those areas. And right now the NRC, the management in particular, has committed a lot of resources to the EEO arena and it would likely be if we had a more complete measure, we could make sure those resources are used effectively. And not only do the numbers increase but the way people feel about the Agency, how they feel about the fairness of programs or merit staffing as it's implemented, that would probably go a long way to making this a much better place to work that. And, again, on behalf of the ACAA, I would like to say thank you for this opportunity.

CHAIRMAN MESERVE: Thank you. Ms. Snyder?

MS. SNYDER: Good afternoon. My name is Amy Snyder. I'm representing the Federal Women's Program Advisory Committee. The Federal Women's Program Advisory Committee's goals for fiscal year 2003 continue to be to enhance opportunities for women to achieve positions to successfully advance at the Nuclear Regulatory Commission through the development of upward mobility positions, increased vocational opportunities, aligning mentors with women and training opportunities to prepare women for more advanced positions within the Agency.

The Federal Women's Program Advisory Committee would like to highlight some recent progress towards these goals in the development of administrative upward mobility positions. In the Office of Nuclear Material, Safety and Safeguards over the last year, several positions have been identified as upward mobility in the administrative area. The Federal Women's Program Advisory Committee has drafted a report that provides recommendations for potential mobility upward positions and career enhancement opportunities in the administrative support area.

Some of the recommendations include update position descriptions, a draft position description would be attached to the report and would be available for all offices in order to remove the requirements for stenography and include requirements for computer skills and programs such as Starfire and ADAMS. Other recommendations are to encourage Agency managers to identify or develop positions as upward mobility positions and identify training opportunities that are key to success to upward mobility in the administrative area. The Federal Women's Advisory Program -- Federal Women's Program Advisory Committee continues to track the progress in these various goals that are included in this year's objectives.

In closing, I would like to thank the Office of Nuclear Regulatory -- Nuclear Reactor -- NRR --

(Laughter.)

-- and the Office of NMSS for their support and involvement in the Federal Women's Program. Thank you.

CHAIRMAN MESERVE: Thank you. Mr. Ibrahim.

MR. IBRAHIM: Good afternoon, Mr. Chairman, commissioners. On behalf of the Committee on Age Discrimination, I would like to express my thanks for giving us the opportunity to address the Commission on aging issues. The Committee would like to bring some of their concerns to your attention. You'll notice that our current statement has not markedly changed from previous statements presented to the Commission. So far we have not seen much in the way of positive action and response to these concerns.

For example, we have recently analyzed performance data for the last 15 years. That is from 1988 to 2000. We found that the downgrading to upgrading the staff over 15 years is about twice those of the general staff. As you can see here, this is here the issue of downgrading over upgrading as a function of age. And, see, as you get older, the downgrading increases with respect to upgrading.

The second example I would like to say we examined data submitted in the SECY 02182 regarding the assignment in fiscal year 2002, and we found that rotation of assignments for staff less than 50 years was two and a half times the rate for staff 50 years and older. And we can here show you the percentage of staff under 39 years at the number of rotations for the staff as a function of age also. And this is over 60 years. So it seems also as you get older, you get less rotation.

We recommend that the NRC investigate why performance is more likely to be downgraded than upgraded for older staff than younger staff and why they are not getting more rotational assignments as compared to the younger staff. Staff 50 years and older are the core of this Agency. They possess the critical judgments and experience which are essential to the mission of the Agency. The Agency needs to recognize and value their experience. We hope in future briefings we can report to you that progress has been made regarding this issue.

Finally, the Committee would like to thank the EEO, Dr. Bill Travers, for meeting with us to discuss our concerns and goals. In addition, we thank Ms. Irene Little and her staff for their cooperation providing us with performance appraisal data for our continued analysis. Thank you.

CHAIRMAN MESERVE: Thank you. Finally, I'd like to call on Mr. Yielding who is here representing the National Treasury Employees' Union.

MR. YIELDING: Thank you, Mr. Chairman, Commissioners. My name is Dale Yielding. I'm the local President here of Chapter 208 of the National Treasury Employees' Union. I like to always keep the Union's comments kind of directed towards EEO since that's what the purpose of this meeting is, even though our function and mission goals for the Union are widespread for our employees.

And I guess the connection I make is retention. Recruitment is, I guess, the focus of EEO, and of course there's been a lot of talk about retention, and I think the Union's aspect on that is our major effort of always trying to improve the workplace through, I guess, starting by changing the collective bargaining agreement. We only looked at that every two years, but we've made significant changes last October of 2001. And I think if everyone takes a look at the accomplishments and maybe the agenda items of what we look at on a monthly basis at the Agency of Labor/Management Partnership Committee. This is issues where we bring forward hopefully improvements to the Agency and I guess improvements to the Agency could directly associate with retaining employees here.

So we're always trying to bring this forward, and I think our last accomplishment, of course, was agreement on work-at-home. That program is being implemented and hopefully it will be real widespread in the future. And I guess in the future here we're going to try to expand a pilot work-at-home -- not work-at-home but a pilot workplace schedule that was implemented in Region 4 and we're going to try to see if it might have some benefits to be expanded throughout the Agency to people to adjust their work schedule over a seven-day period rather than just the current Monday through Friday period.

A couple of comments on the statistics. I talked with Irene about the informal versus the formal EEO complaints. I was a little unclear about the definition of informal complaint and Irene said it was when an EEO counselor proceeded, through authorization from the employee, to pursue a resolution of the allegation. So that does not include when the employee stops by the EEO counselors with a concern where it might just be discussed with a counselor. I'm not sure how many of those are but whether they're worth counting, whatever it is, it doesn't graduate into the formal EEO counting stage. I'm not sure whether it had significance or whether the counselor was able to resolve it with an answer to a question or two.

But what it also doesn't encompass is grievances and which might have EEO implications. When an employee feels that they've been harmed and they connect it with discrimination, they file an EEO complaint. There's a twofold burden on the employee there: One to prove they were harmed and the second is to prove it was due to discrimination. But if the employee is harmed and they don't want to pursue discrimination, they can just file a grievance if they feel like they've been harmed through an appraisal or harmed through a merit system promotion. And a lot of employees would probably elect the easier route, to just use the Union and go through filing a grievance. So the recommendation might be twofold, to look at the number of grievances that are filed, not necessarily looking at whether there's an EEO implications of discrimination with the grievance, but that might be another measure of whether we have a good workplace here to retain employees because the number of grievances is direct relation to how satisfied the employees are working here. So I'm sure that those statistics will be available through the Union or through Claude Berman in H.R., but we're trying to train all our union stewards to resolve grievances and I think in the past couple of years we've got the numbers down considerably well. Thank you very much.

CHAIRMAN MESERVE: Thank you. I would like to thank all of the participants this afternoon for their excellent presentations. I think it is clear that we do have some challenges that are before us, but I think it is also clear that we've made some great progress as acknowledged by several of the advisory committees that spoke here this afternoon.

The most critical asset of this Agency is our manpower. We depend crucially on the skills of our staff in order to fulfill our function. And in this context, it is important to hire and advance the most competent people here. And it's completely counterproductive to us as an agency to fail to provide opportunities for all staff, regardless of race, ethnicity, age or other irrelevant type characteristics, and we must continue our efforts to emphasize the assurance of equal opportunity for all.

I'd also like just to note in closing that our great appreciation to Irene Little for the kind of presentation that we had today where we have achieved great progress, which I'm sure is attributable, in large part, to your efforts. We've accomplished a lot thanks to you, and we very much appreciate it and we're going to miss you. And with that, we're adjourned.

MS. LITTLE: Thank you. Could you indulge me for just a moment? I really did not want to make this a discussion of my retirement, but since it has come up I think I would be remiss in not giving at least a couple of things. First of all, I want to thank all of you who supported me here, but I have to share with you the secret of my success, and I do think that we've been successful, and that's my hardworking staff. They're always there. I want to thank them publicly in here so that they know that I know the value that they have given to this program and to Paul Bird who sits quietly over here until he's spoken to and his staff who've actually done a lot of what we are talking about today as success. The EEO counselors, they're in the background. The chairpersons of the EEO advisory committees. There are a lot of people that are making this program a success and I am sure it will continue regardless of who sits in my seat. Thank you very much.

CHAIRMAN MESERVE: Thank you.

(Applause.)

(Whereupon, at 4:18 p.m., the briefing was concluded.)