

UNITED STATES OF AMERICA
U.S. NUCLEAR REGULATORY COMMISSION

BRIEFING ON EQUAL EMPLOYMENT OPPORTUNITY
(EEO) AND SMALL BUSINESS PROGRAMS

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9:30 A.M.

TRANSCRIPT OF PROCEEDINGS

Public Meeting

Before the U.S. Nuclear Regulatory Commission:

Allison M. Macfarlane, Chairman

Kristine L. Svinicki, Commissioner

George Apostolakis, Commissioner

William D. Magwood, IV, Commissioner

William C. Ostendorff, Commissioner

APPEARANCES

NRC Staff:

Darren Ash
Acting Executive Director of Operation

Vonna Ordaz
Director, Office of Small Business and Civil Rights

Anthony Barnes
Affirmative Employment and Diversity Management Program
Manager

Anthony Briggs
Small Business Program Manager

Eric Leeds
Director, Office of Nuclear Reactor Regulation

David Lew
Deputy Regional Administrator, Region I

Suzanne Schroer
Co-Chair, Diversity Advisory Committee on Ageism

Sheryl Burrows
NTEU

1 PROCEEDINGS

2 CHAIRMAN MACFARLANE: So, we are here and quite a few of us
3 are here today to receive a briefing on the agency's Equal Employment
4 Opportunity, Diversity Management, and Small Business Programs. This is
5 Vonna Ordaz's first briefing as director of the Office of Small Business and Civil
6 Rights. She's made significant changes to the office since assuming her position
7 in January, and I commend Vonna and her team's efforts to enhance the office's
8 efficiency through staff reorganization, restructuring of the work to focus on
9 outcomes and results, and improving internal communication on the importance
10 of equal opportunity, diversity, and inclusion and small business goals. Thanks,
11 Vonna.

12 VONNA ORDAZ: Thank you.

13 CHAIRMAN MACFARLANE: I'd also like to acknowledge the
14 incredibly important contributions that the EEO Advisory Committees make in
15 ensuring that NRC recruits and retains the best and most diverse workforce
16 possible. I look forward to all the presentations today, including those from the
17 Offices of Small Business and Civil Rights, NRR, Region I, as well as
18 representatives from both the EEO Advisory Committees and the union. First, I
19 want to see if any of my fellow Commissioners have any comments. No? Okay.
20 Then I'm going to turn it over to Darren Ash, the acting executive director for
21 operations.

22 DARREN ASH: Thank you, Chairman.

23 Good morning, Chairman, Commissioners. On behalf of Bill

1 Borchardt, our executive director for operations, who's on travel today, I want to
2 thank you for the opportunity to discuss our accomplishments, our challenges,
3 and our focus areas for the Equal Employment Opportunity Program and our
4 Small Business Program, both of which are very important programs for this
5 agency. I would note that for us to be successful for both programs, involvement
6 of leadership is required beyond those that are at the table. For our EEO
7 program, it includes the staff of our Small Business and Civil Rights Office; our
8 General Counsel's Office; our deciding officials within this agency, which I'm
9 honored to be one of; our advisory committees, our seven advisory committees;
10 our 26 EEO counselors, both at headquarters and the regions, and of note, for
11 which this responsibility is a collateral duty; our managers; leaders; and, of
12 course, our staff. For our Small Business Program, it requires the involvement of
13 staff of our Small Business and Civil Rights Office, Office of Administration, and
14 of course every office within this agency for us to be successful.

15 On Slide 2, the agenda, our objective today is to cover our EEO
16 program status. We will show a video from SBCR about diversity and inclusion,
17 talk about Affirmative Employment Diversity management, our Small Business
18 Program.

19 Slide 3, please. Office of NRR will present about valuing diverse
20 ideas. Region I will present about achieving results through diversity and
21 inclusion. And then we'll have the EEO Advisory Committees' joint statement.

22 I'm very proud of the accomplishments and dedication of our staff --
23 all of our staff to do this. Their efforts directly contribute to both the mission of
24 this agency, but just as importantly the improvements of our organizational
25 culture. Our reality is that this briefing can only represent a small amount of

1 information about what we do. And with that, I'd like to turn it over to Vonna
2 Ordaz, our director of Small Business and Civil Rights. Thank you.

3 VONNA ORDAZ: Thank you, Darren. Good morning, Chairman
4 and Commissioners. We appreciate the opportunity to brief you today on the
5 Equal Employment Opportunity and Small Business programs. The agency has
6 made great progress in these program areas over the last year. And I'd like to
7 begin by acknowledging the management and staff for the contributions to this
8 success. Part of the success is due to the tremendous support we receive at the
9 top of the agency and from our leadership team, including the participation and
10 involvement from the Commission during a number of agency events and
11 diversity programs. In addition, we've strengthened our partnership with
12 OCHCO, OE, OGC, OIS, ADM, and our other colleagues in the program and
13 corporate offices. We also continue to work collaboratively across the agency to
14 ensure program's help contribute to a positive work environment at the NRC.
15 This success is not done independently. It's an interagency, interdependent
16 agency success with contributions with various offices and individuals, including
17 the SBCR team. Our programs are highly regarded by other agencies across the
18 government, such as NASA, DOE, DOJ, Department of Education, and the Equal
19 Employment Opportunity Commission, known as EEOC. We continue to partner
20 with these agencies and other stakeholders to employ and share best practices.
21 Today I'll cover some highlights of two program areas: the Civil Rights program
22 and the Outreach and Compliance Coordination program. Next slide, please.

23 On the status of the EEO programs, there has been an increase in
24 EEO complaints filed federal government-wide within the NRC over the past two
25 to three years. The increase may be due to downsizing or streamlining

1 operations in federal agencies, more competition when applying for a job or
2 promotion, and new laws, including the Americans with Disabilities Act as
3 amended. It's not unusual to have an increase in complaints in times of change.
4 It can be viewed as a position sign that employees are more aware of their rights.
5 The EEO complaints filed during FY12 are consistent with the FY11 statistics.
6 We had over 150 contacts, 33 informal complaints, 16 formal complaints in FY12.

7 Overall, less than 1 percent of the NRC workforce filed EEO
8 complaints in FY12. This is very low compared to the rest of the federal
9 government, according to the Equal Employment Opportunity Commission.
10 There are a number of efforts we performed to address complaints. Some
11 include offering mediation in 100 percent of the cases as compared to the rest of
12 the federal government, which is at about 78 percent. We sponsored lunch and
13 learn sessions, we've had informational meetings for supervisors and managers,
14 we've partnered with other agencies to share best practices and discuss similar
15 trends. We've also conducted numerous training courses in both EEO and
16 diversity. We've facilitated discussions and settled a record number of
17 complaints this year using the Alternate Dispute Resolution program, which
18 allows parties to agree to terms in a settlement agreement. And since 2009, our
19 settlements have doubled from 10 to 21. Next slide, please.

20 This graphic demonstrates FY12 formal EEO complaints by bases.
21 Complaints must identify a basis such as race, color, sex, or religion to file an
22 EEO complaint under various civil rights laws and regulations. As you see in the
23 chart, 61 percent of the complaints filed in FY12 were based upon alleged
24 reprisals, sex, and race discrimination. The EEOC reports that these three bases
25 are the most frequent bases of complaints filed across the federal government.

1 At the NRC there have been no findings of discrimination since 2004. Disability
2 cases have increased within the last few years. To address some of these
3 cases, we are continuing to work with OCHCO, ADM, OIS, and other offices to
4 ensure requests for reasonable accommodations are processed in a timely
5 fashion. Next slide, please.

6 This graphic demonstrates FY12 formal EEO complaints by issues.
7 A complainant must identify an issue such as a personnel action or disciplinary
8 action when an EEO complaint is filed. As you see in the chart, 54 percent of the
9 issues involve performance evaluation, non-selection for promotion, and non-
10 sexual harassment. These same issues are consistent with complaints filed
11 across the federal government according to the EEOC. There were no sexual
12 harassment complaints filed in FY12. The assignment of duties is becoming a
13 more frequent issue, perhaps as a result of more interest for high profile
14 assignments in order to be competitive for future positions. There are more
15 complaints being filed that are more complex and include multiple allegations.
16 We're required to process cases under strict timelines established by the EEOC,
17 and we appreciate the cooperation of employees, supervisors, and managers
18 who assist in completing timely investigations. Next slide, please.

19 As you may be aware from some recent Commissioner briefings,
20 the minority-serving institutions program goal is to promote and produce a
21 diverse skilled workforce pipeline from kindergarten through 12th grade,
22 undergraduates, and graduates with science, technology, engineering, and math,
23 known as STEM. These STEM skills and knowledge will enrich the NRC, the
24 nuclear industry, and the nation's workforce. NRC's MSIP is regarded as a
25 national model among federal agencies. Together with the support of the

1 university champions, the program offices, and the regions, we work to fulfill the
2 president's educational investment initiatives and associated policies. There are
3 a number of outcomes attributed to MSIP efforts I'd like to share with you. With
4 the limited time, I'm just going to cover a few.

5 At the College of Menominee Nations, which is a Tribal college, the
6 NRC provided outreach, technical, and financial assistance for its Presidential
7 STEM Leadership Program, which led to increased recruitment, enrollment,
8 retention, and employment opportunities for Tribal students. The NRC assisted
9 the University of Texas at Permian Basin, which is a Hispanic-serving institution,
10 to develop a nuclear energy education program. After receiving outreach,
11 technical and financial assistance from the NRC, the program now produces a
12 pipeline of trained engineers and scientists, and recently they earned
13 accreditation from the Accreditation Board for Engineering and Technology.

14 Lastly, the NRC supports Fort Valley State University, which is a
15 historically black university that develops students in the nuclear energy fields.
16 We hosted a pre-college STEM symposium here at the NRC. This was for ninth
17 graders associated with the university, which included a tour of the operations
18 center and presentations from Commissioner Magwood and Mike Weber. And
19 later this month, the university will honor Commissioner Magwood with a
20 Platinum Achievement Award for his outstanding achievements in the field of
21 energy. Thank you.

22 Overall, in FY12, the agency provided \$2.8 million in grants to 32
23 institutions. This included 19 historically black colleges and universities, eight
24 Hispanic-serving institutions, five Tribal colleges and universities. The NRC is
25 also exploring opportunities to expand the grant's spending to Asian American-

1 Pacific Islanders in FY13.

2 In the area of external civil rights compliance, we continue to
3 promote equal opportunity and fair practice in the NRC-conducted and federally
4 financially-assisted programs and activities such as Title VI and IX, the Limited
5 English Proficiency Program, and Disability programs. We've conducted over
6 100 pre-award reviews this fiscal year of prospective grant recipients in a timely
7 manner prior to the agency awarding these grants. Next slide, please.

8 In closing, as I mentioned earlier, our work in progress cannot be
9 completed without the efforts and contributions of the NRC management and
10 staff and our team within SBCR. We have 147 agency employees who
11 participate as EEO counselors or EEO advisory committee members in both
12 headquarters and in the regional offices. Our accomplishments could not be
13 possible without their volunteer efforts in supporting many agency activities and
14 events such as Diversity Day, lunch and learn sessions, and also the special
15 emphasis dinners.

16 We'd like to take a moment to recognize these individuals and ask
17 for those in the room to please stand and -- many of them are behind me, I
18 believe. And for those calling in from the region, we also thank you.

19 [applause]

20 Thank you. Without further delay, I'd like to introduce to you a
21 video that we've created, featuring EEO counselors, EEO advisory committee
22 members, various agency partners, and SBCR staff explaining what diversity
23 inclusion means to them. The title of the video is "Diversity and Inclusion
24 Works."

25 [video playing]

1 VONNA ORDAZ: Thank you. This has been a Nicki Sanchez
2 production.

3 [laughter]

4 Thank you, Nicki, and all of the contributors to the video. Thank
5 you. I'd next like to introduce our next speaker, Tony Barnes, the program
6 manager for Affirmative Employment and Diversity Management in the Office of
7 Small Business and Civil Rights. Tony.

8 ANTHONY BARNES: Thank you, Vonna. Good morning,
9 Chairman Macfarlane, and Commissioners. I appreciate the support that each of
10 you have given in the area of affirmative employment and diversity management.
11 The support you show by attending the committee's events is greatly
12 appreciated. It's a very visible sign of your connection to these volunteer
13 members of each committee and the work that they do to support the agency and
14 all of their constituents. I appreciate the opportunity to share with you this
15 morning some of the progress that's been made in the area of affirmative
16 employment diversity management. Next slide, please. Thank you.

17 Our comprehensive diversity management plan was first issued in
18 2005, and it established the framework that our agency uses to focus the agency
19 on resources that promote the differences and ideas, the innovation and the
20 growth, non-discrimination and results that encourages our individuals and
21 operational success. We evaluate change at the office level, but we measure our
22 success at the agency level because each and every office supports the growth
23 of their individuals that might be promoted into some other part of the agency.
24 And so we measure our success at the agency level; we manage at the office
25 level.

1 The CDMP integrates diversity management into agency-wide
2 operations. And its goals are included in our strategic plan that helps guide
3 behaviors, decisions, and diversity management initiatives. It focuses on three
4 primary areas: recruit and hire, develop and advance, and retention of our entire
5 highly qualified, outstanding workforce. The CDMP preceded the issuance of
6 last year's Presidential Executive Order 13583, which directed all governmental
7 departments and agencies to produce a diversity and inclusion strategic plan.
8 The guidance that was set forth by OPM looked a lot like our CDMP framework
9 and, in fact, we just had to crosswalk our CDMP with our federal equal
10 employment recruitment plan, known as the FEORP, and our disabled veteran's
11 affirmative action plan, and we had a 95 percent solution to the request for a
12 strategic plan right out of the box. The only thing we didn't have in place was a
13 diversity and inclusion council, and we have since established one and are
14 beginning to finalize our charter. Next slide.

15 This past year, we completed a total of 10 EEO and diversity
16 refresher courses, both at the headquarters and the regions, which trained nearly
17 500 of our managers, supervisors, and team leads. This every-three-year
18 refresher ensures that our managers and supervisors stay current on the key
19 concept of equal opportunity and diversity management. It helps us understand
20 our role and responsibilities concerning the workplace environment, and it helps
21 us implore strategies that prevent escalation in the event of an issue. Our EEO
22 advisory committees provide great support for all of the activities involved with
23 the CDMP. This all-volunteer force provides great service to this agency. I'm
24 happy that we took the opportunity this morning to recognize them.

25 Best practices in diversity and inclusion management are actions

1 that help us create the environment where people feel appreciated, respected,
2 and valued. These actions go hand in glove with our NRC values as well, our
3 ISOCER values. And agencies which succeed at creating this environment
4 tend to show positive results in their federal employment viewpoint surveys. We
5 should credit ourselves for our hard work and efforts with respect to good
6 diversity inclusion practices, which contribute to what is arguably, without a
7 doubt, enviable FEVS scores compared to other agencies.

8 Our NRC demographics. Despite a two-year-in-a-row decline in the
9 overall size of our workforce, 1.97 percent in '11 and 4.64 percent in 2012, we've
10 managed to maintain our representation of our demographic, both race and
11 gender. As a five-year average, we've averaged 15 percent African American, 9
12 percent Asian, 6 percent Hispanic, 1 percent Native American, about 0.5 percent
13 two or more races. We are 23 percent white female and 46 percent white male.

14 Now, in SES positions, despite a decreasing demographic
15 workforce, we're up 4 percent from 2008 to 2012 in percentage of minorities in
16 the SES. We're also up 3 percent from 2008 in white females in the SES. So
17 when you combine women and minorities in the SES community, we're up a total
18 of 7 percent, from 32 percent in 2008 to 39 percent in 2012. Obviously, that is a
19 moderate growth but is growth nonetheless, and we will continue to strive and do
20 the kinds of things it takes to continue to increase and grow so that our diversity
21 and inclusion is inclusive of all of our employees. We exceeded the OPM
22 established goals for NRC in the hiring of vets. We recruited 26.4 percent in
23 2012; our new hires were veterans. And we also exceeded our disabled veteran
24 goal. We recruited 6.6 percent of our workforce as disabled veterans. Obviously
25 that doesn't happen by coincidence. Our partnership with OCHCO is strong and

1 growing. Next slide, please.

2 Our path forward includes what you see here on this chart. The
3 bedrock framework is built in the diversity management plan. We've recently
4 grown our diversity inclusion strategic plan to include our diversity management
5 inclusion council. We are growing in outreaching towards external partnerships.
6 We recently established a partnership with the Asian American Executive
7 Network, and we currently have in draft to reach out to the American Indians
8 Science and Engineers Society to grow external partnerships to help partner
9 together our ideas and opportunities to grow those partnerships. And finally,
10 sustaining this growth through communication and hard work is really what our
11 future is going to be based on.

12 That concludes my portion of the brief. I'll stand by to answer
13 questions during the Q-and-A's, but following me is Anthony Briggs from the
14 Small Business Program.

15 ANTHONY BRIGGS: Great. Thank you, Tony.

16 Good morning, Chairman and Commissioners. I would like to begin
17 with a brief statement on the role that the Small Business Program plays in
18 supporting diversity at the agency. The Small Business Program focuses on
19 compliance with small business laws to ensure that the agency continues to
20 benefit from an innovative and diverse supplier base that results in fostering
21 business development, which is vital to the economic recovery of the nation. I'm
22 happy to report that the agency received its first Small Business Administration's
23 scorecard letter grade of A for fiscal year '11 performance, representing the
24 highest rating received for the agency. The scorecard evaluates the agency on
25 its small business contract goal performance, compliance activities, support of

1 federal business development initiatives, and outreach activities. The agency
2 also awarded the largest amount of contract dollars to date to small businesses
3 in fiscal year '11, totaling more than \$90 million and ranging from facilities
4 maintenance to cyber security work, sending a clear message that this agency
5 values supplier diversity.

6 For fiscal year '12 performance, the agency exceeded all five of its
7 small business prime contract goals for the first time. The agency shares this
8 accomplishment with only four other federal agencies.

9 Another important component of this achievement is that the
10 agency exceeded its service-disabled veteran owned small business goal for the
11 first time. And we awarded the largest amount of dollars to service-disabled
12 veterans in fiscal year '12, totaling more than \$8 million. This is important
13 because contracting with the veterans helps veteran business owners realize the
14 American Dream that have fought so hard to protect. The agency's scorecard for
15 fiscal year '12 will be released later this year.

16 So how did the agency achieve such a high level performance?
17 We did it through interdependency and collaboration among offices throughout
18 the acquisition process. Agency offices include OGC, the Division of Contracts
19 under ADM, various program offices seeking contractor support, as well as
20 support from the strategic acquisitions team. Achievement was also the result of
21 the implementation of small business infrastructure that ensured compliance with
22 small business laws and facilitated the participation of the small business
23 program in senior-level agency acquisition decisions.

24 The trend over the past three years has been upward. The agency
25 met three out of five small business contract goals in fiscal years '10 and '11. But

1 in fiscal year '12, we met all five goals. The agency also increased its contracting
2 with small business year after year: business that were owned by the
3 disadvantaged, women, veterans, service-disabled veterans, and businesses
4 located in historically underutilized business zones. However, there was a slight
5 1 percent decline in contract spending with small businesses between '11 and
6 '12, but this correlates with a reduction in contract spending between the same
7 timeframe.

8 The Small Business Program has been collaborating on the
9 agency's strategic acquisition efforts towards enterprise-wide contracting. Small
10 Business Program is a member of every portfolio council at the agency, providing
11 technical assistance support in the areas of acquisition planning and market
12 research. The results have been significant in the areas of enterprise-wide
13 contracts that service the entire agency. We released the largest small business
14 set-aside to date under the Computer Security Office for Cybersecurity Work,
15 totaling over \$100 million. We also released the largest service-disabled
16 veteran-owned small business set-aside under OIS for Freedom of Information
17 Act Support Services, with a maximum value of \$11.5 million.

18 Our outreach efforts have increased. The Small Business Program
19 launched the first small business seminar and matchmaking event, which
20 resulted in the highest attendance to date for an onsite small business event. It
21 included collaboration with the Montgomery County Chamber of Commerce. For
22 the first time, they provided coordination and logistical support, executives of
23 which are pictured on the slide. The seminar introduced the agency, what do we
24 buy, how do we buy it, and included information about upcoming contract
25 opportunities. Speakers included the EDO; the president of the Montgomery

1 County Chamber of Commerce; senior level officials from SBCR; Division of
2 Contracts; NSIR; NRO; a representative from PAVE, which stands for Paving
3 Access to Veteran Employment; and a presentation from Commissioner
4 Ostendorff on veterans and the importance of veteran contracting here at the
5 agency. Thank you, Commissioner. The matchmaking portion matched
6 business capabilities with agency requirements, and we received excellent
7 support from acquisition officials as well as various program offices on this effort.

8 Regarding the impact of bundling, as the agency moves towards an
9 enterprise-wide contracting approach, there is a concern that we will consolidate
10 contracts to such a large amount that they will be unsuitable for award to small
11 businesses. This is essentially contract bundling. Congress has placed stringent
12 limitations on contract bundling because the impact can be significant on small
13 businesses and economic development. However, due to the size of the
14 agency's acquisition program, the impact has not been significant thus far.
15 Contracts that have been consolidated have either been set aside for small
16 businesses or we've incorporated mitigating measures such as partial small
17 business set-asides, which set aside a portion of the work for competition
18 exclusively among small businesses, or we've included a small business
19 subcontracting plan evaluation factor that incentivizes subcontracting to small
20 businesses. The agency did not report any bundled actions in fiscal year '12.

21 That concludes my presentation. I now turn the presentation over
22 to Eric Leeds, director of NRR, to discuss evaluating diverse ideas. Thank you.

23 ERIC LEEDS: Thank you, Tony, and good morning Chairman and
24 Commissioners. Chairman, since you noticed, I just wanted to let you know,
25 rather than wearing the typical dark suit and white shirt that you typically see, I

1 decided to wear something different for diversity.

2 [laughter]

3 And in deference to Commissioner Magwood, it just so happened

4 that I'm wearing Baltimore Ravens colors and not Pittsburgh Steelers colors.

5 [laughter]

6 Looks like I'll be getting my share of questions.

7 [laughter]

8 The subject that I'd like to talk about, and if you could bring in the
9 slide, please, is something that you heard about during the video, that I think is
10 very important. There are a lot of reasons why we value diversity. The reason
11 I'd like to talk about this morning is diversity of ideas, diversity of thought, and
12 how important that is to me, to NRR, and certainly to the agency.

13 The types of problems that we deal with here at the NRC are very
14 complex. They're very multifaceted. They're not black and white, lot of shades
15 of gray. And the reason why we value diversity so much is we need people with
16 different perspectives, different backgrounds, different technical upbringings,
17 different life experiences so they can bring all those perspectives to these
18 problems and help us get to better solutions. Really, it's all about fully informed
19 decisions.

20 Now, considering all views, and we do consider all views and all
21 views are very important to us, it doesn't necessarily mean that we agree with all
22 views. And I think it's very important that we are honest with ourselves, we're
23 honest with the staff. We talk about that. And I'll talk about that issue more as
24 we go forward in this presentation.

25 We have a number of strategies with regard to diversity of thought,

1 and certainly we believe it's very important. I believe it's very important to set the
2 expectations early, that diversity of thought is valued. I meet with all new
3 managers, all new supervisors, all new staff that come to NRR, whether they're
4 brand new to the agency or they come on rotations, and I personally meet with
5 them, and I talk to them about a number of things. I talk to them about the NRC
6 mission. I talk about what NRR does that directly relates to that mission. I talk
7 about the NRC values and how important those values are. And I think those are
8 the bedrock that help us better understand and can better appreciate diversity of
9 thought. And we work very hard to increase the staff's comfort level of working
10 and interacting with management. I think it's very important that the staff are
11 comfortable. So besides meeting with them when they first come, we conduct
12 lunch and learns, we have divisional meetings. We do a lot of management by
13 walking around, where we try to make ourselves very accessible to the staff, so
14 the staff feel very comfortable interacting with management.

15 We also try to reinforce all of this through training. All of the NRR
16 supervisors are required to complete the leadership academy courses. And we
17 encourage all the staff to take OCHCO's new interpersonal effectiveness training,
18 because it's everyone that needs to recognize the importance of the values and
19 how we need to interact with each other in a professional manner and to hear
20 each other. It's a challenge, but it's a very important challenge. Let's go to the
21 next slide.

22 The NRC has many ways for employees to raise their concerns.
23 Certainly, informal discussion is the method that's used most often. No one in
24 the NRC really works all by themselves. They don't come to their cubicle. We
25 don't slip work under the cubicle door at 8:00 a.m., and at 5:00 p.m. they slip it

1 back to us. It's not the way we work. We work in teams. Technical reviewers,
2 project managers, folks from NRR, the Regions, Research, NSIR; we work in
3 teams to solve these complex problems.

4 So a lot of the ways that folks can talk about their differing views
5 are within this teamwork, in this framework. But we have a number of other
6 policies that allow our staff to raise issues. Certainly we have the open door
7 policy. Any staff member can schedule an appointment with any manager and
8 talk about whatever issues are of concern to them. We have the non-
9 concurrence process, and we have the differing professional opinion program.
10 And the latest Office of Inspector General Survey -- the Safety and Culture
11 Survey -- it was great to see over 95 percent of the staff are very aware of all of
12 these programs. And that's a real positive. But we need to continue to let folks
13 know that these programs are there and that they work. Let's go to the next
14 slide.

15 At NRR, I make it very plain that there are a number of managers'
16 responsibilities with regard to valuing diversity of thought. And first off, it's up to
17 the management team to create the environment that people feel comfortable
18 and they feel safe in raising differing views. I know Commissioner Magwood and
19 I talked about this issue months ago, and I remember the Commissioner said
20 something that I agree with 100 percent. It was very striking. He said the
21 managers can't -- can never have a bad day. We always have to be open. We
22 always have to be receptive. We always have to be willing to listen. Listening
23 actively and then reflecting on what we heard is so important. Listening isn't
24 easy. It takes skill. It takes time. Sometimes the staff has trouble articulating
25 their differences. We need to hear what's being said and what's not being said.

1 We need to reflect on it. We need to factor it into our thinking. It's a manager's
2 responsibilities to explain our decisions, explain why we made the decisions we
3 made and how we took all these differing ideas and differing types of thought and
4 factor that into our thinking to finally get to an answer.

5 And we need to emphasize we believe very strongly in
6 collaboration. We try to achieve consensus. We can't always do that. We need
7 to be honest with the staff. We need to explain our decisions. We need to
8 explain their responsibilities with regard to diversity of thought. Let's go to the
9 next slide.

10 And the staff has very defined responsibilities. And it is the staff's
11 responsibilities to raise issues, to raise safety concerns. It's their obligation. We
12 also want our staff to raise organizational improvement ideas. It's the way we get
13 ahead. It's the way that we improve as an agency. And I ask all of our staff to
14 develop themselves, to take the training courses, to spend time talking about
15 issues. You know, they develop themselves through training, through the jobs,
16 through their interactions, learning; a very, very important topic, especially to me.
17 But for now, let me turn this over to Dave Lew. Dave is our acting Region I
18 Regional Administrator.

19 DAVID LEW: Chairman Macfarlane, Commissioners, good
20 morning. And thank you for the opportunity to discuss diversity and inclusion
21 activities in Region I. Diversity and inclusion is a necessary and integral part of
22 our business and our ability to achieve results. I want to touch on two aspects
23 here today: the first as it relates to hiring and developing new staff to fill critical
24 positions, and the second, as it relates to a healthy organization. I'm on Slide 25.

25 With respect to hiring and developing staff, we place a strong

1 emphasis on diversity and inclusion. While continued Region I management
2 attention is still warranted, we have achieved some notable successes. I want to
3 highlight two of these successes: our resident inspector program and information
4 technology. One of the most important programs that we have is the resident
5 inspector program. A few years ago, Region I had significant challenges in filling
6 the resident inspector positions with well-qualified candidates. Some of the
7 positions were posted multiple times before we were able to fill them. Today, we
8 have a strong pool of individuals ready to take on the role of a resident inspector,
9 in part due to entry-level hiring through the Nuclear Safety Professional
10 Development Program and through continued veteran hiring. Of the 19 resident
11 inspectors at Region I, 10 are filled with staff who have graduated from the
12 Nuclear Safety Professional Development Program, and eight are veterans with
13 valued experience in the Navy's Nuclear Power Propulsion Program. The
14 remaining inspector is a minority female with Navy nuclear shipyard experience.
15 So 42 percent of these inspectors are minorities or women. And the experience
16 that they gain as a resident is valued throughout the agency.

17 The other important area is information technology. We had similar
18 difficulties in filling these positions with the right skill sets. However, we have
19 made strong progress, in part due to a variety of hiring venues. About three
20 years ago, we hired a college graduate with a degree in information systems into
21 our Nuclear Safety Professional Development Program. In the area of veteran
22 hiring, we recently made offers to two individuals through the Vets to Feds
23 Career Development Program. These are veterans who have gone back to
24 school after serving their country and are currently studying information
25 technology. Although they decline our job offers for other offers, we will continue

1 to look at this area for the talent that we need. Over a year ago, we had a
2 temporary IT position, which we hired a disabled individual. Specifically, this
3 individual was deaf. The individual was highly skilled and contributed
4 significantly to our IT needs. While he has since left for a permanent position in a
5 private firm, our experience was an overall success. Next slide.

6 As Eric discussed, valuing diverse ideas is very important to us and
7 it's important to our safety and security mission. Inclusion plays an important role
8 in ensuring that diverse ideas are shared and valued, and strong engagement by
9 staff and management furthers that inclusion. In that regard, I want to touch on
10 engagement in Region I through communication forums and the Diversity
11 Management Advisory Committee. Next slide.

12 There are many communication forums in Region I, but I just
13 wanted to touch on a few. The first bullet refers to quarterly meetings between
14 the regional administrator and new employees, employees who have been with
15 us less than a year. We find that this is a great forum to engage new employees,
16 answer their questions, address their concerns, and get a sense of how they are
17 adjusting to a new organization. Through these interactions we have the
18 opportunity to reinforce our organizational values and the concepts of diversity
19 and inclusion. We have quarterly meetings with our Region I union
20 representatives to share and discuss topics of mutual interest. This relationship
21 is very open and collaborative, and establishing strong communications allows us
22 to address issues more effectively. The regional administrator updates the staff
23 through regional emails, town hall meetings, and other venues. How much and
24 what he communicates is often informed by supervisors and staff through
25 feedback. The level of effort in this area significantly increased during the

1 Region I office relocation activities in 2011-2012. While the office relocation was
2 an overall success, being on schedule and under budget, it was equally
3 important, if not more so, that we conducted the move in the manner that was
4 consistent with our organizational values and that staff input had been heard and
5 considered. Next slide.

6 Success in establishing a healthy organization rests so much with
7 the staff. Our Diversity Management Advisory Committee, or DMAC, is a leader
8 in this area for Region I. We have recently appointed a new committee chair,
9 who is with us here today, Beth Keighley]. Want to stand? Thank you Beth.

10 [applause]

11 Beth is a reactor engineer in our Division of Reactor Projects, and
12 we welcome her leadership in this area.

13 The Region I DMAC consists of 15 enthusiastic individuals who
14 receive strong organizational support. They contribute significantly to the
15 activities, such as recruiting, outreach, and training. They also coordinate
16 numerous activities throughout the year, including special emphasis programs in
17 our annual Diversity Day celebrations. All of these activities reinforce a healthy
18 culture of inclusion. In the remaining time I have, I want to run through some
19 photos reflecting the region's emphasis and support of diversity and inclusion.

20 Slide 29 shows some pictures from the 2009-2011 special
21 emphasis programs, such as Black History Month and Hispanic Heritage Month.
22 The photo on the bottom right highlights the 2012 Toys for Tots program, which
23 is annually coordinated by our DMAC.

24 On slide 30 -- and through the years, our DMAC have provided
25 creative Diversity Day themes and engaging speakers. This top left picture was

1 our 2010 Diversity Day with the theme "Making Differences Work." The bottom
2 left picture was our 2011 Diversity Day, with the theme "Diversity Through World
3 Wonders," where our staff shared their personal travels and their experience with
4 different cultures. The two photos on the right are from our 2012 Diversity Day,
5 with the theme "Collaboration Across Generations." And we were pleased that
6 Vonna and her staff were able to participate. This greatly enhanced the
7 integration of our efforts with the agency's diversity and inclusion focus.

8 That concludes my presentation. Let me turn it back over to
9 Vonna.

10 VONNA ORDAZ: And I would like to introduce Suzanne Schroer,
11 who is the chair of the Diversity Advisory Committee on Ageism, and she'll
12 provide the joint statement.

13 SUZANNE SCHROER: Good morning, Chairman, Commissioners,
14 Mr. Ash, and NRC staff. I would especially like to thank my fellow EEO
15 committee members for their support here today, as we saw earlier. As Vonna
16 mentioned, I'm the co-chair for the Diversity Advisory Committee on Ageism, but
17 this morning, I represent all seven EEO committees. There are seven EEO
18 advisory committees at the agency, as you heard before: the Advisory
19 Committee for African Americans, the Advisory Committee for Employees with
20 Disabilities, the Native American Advisory Committee, the Advisory Committee
21 for Asian-Pacific Americans, the Diversity Advisory Committee on Ageism, the
22 Hispanic Employment Program Advisory Committee, the Federal Women's
23 Program Advisory Committee.

24 For many years, the committees have worked with the Office of
25 Small Business and Civil Rights and the Office of the Chief Human Capital

1 Officer, along with the National Treasury Employees Union to promote diversity
2 in the workplace. This joint effort has resulted in continual progress in meeting
3 each committee's goals and objectives. However, some challenges still remain.
4 We will continue to maintain the partnership with these organizations to further
5 advocate diversity of all kinds at the agency.

6 First I would like to acknowledge the efforts of you, the
7 Commission. Over the past year, we have had the opportunity to meet with most
8 of you, and we appreciate your interest in our work. I believe this shows that the
9 NRC is truly committed to maintaining a work environment that is inclusive and
10 maximizes the potential of all employees at the agency.

11 I will now present some highlights from the joint statement. In the
12 fiscal year 2012, the data for performance appraisals continues to show a
13 disparity for older Americans in comparison with younger employees, especially
14 those employees that are over the age of 55. This gap has also been seen in
15 performance appraisal data for women and minorities. Additionally, a disparity
16 can be seen in the data for awards given to older employees. The consistency of
17 these discrepancies over several years indicates that the agency still has
18 challenges to meet in their efforts to understand the underlying issues causing
19 these discrepancies. The percentage of women and minorities and the Senior
20 Executive Service and team leader positions has risen slightly in the past year.
21 However, we still have some areas of improvement. The agency remains under
22 the goal of 2 percent of employees with targeted disabilities. The agency's ability
23 to achieve diversity in this area as well as in veterans hiring has improved with
24 the use of the special hiring authorities for disabled veterans and employees with
25 disabilities, and it can be further improved by providing managers and

1 supervisors more exposure to information regarding these special hiring authority
2 procedures. Recruitment is still a very valuable tool for increasing representation
3 of women, minorities, and people with disabilities at the agency. The committees
4 have communicated their recruitment strategies with the Offices of the Chief
5 Human Capital Officer and Small Business and Civil Rights, and we have
6 supported and participated in the Chief Human Capital Officer's virtual career fair,
7 school science fair, university recruitment, and professional career fairs. By
8 participating in these recruitment events, we play an active role in reaching out
9 and attracting a larger number of individuals in these targeted areas. Even with
10 the reduction in hiring, it is still important to build relationships and recognition of
11 the agency among students and professionals so that we can attract more
12 qualified candidates when hiring efforts increase.

13 In closing, the NRC has remained at a top tier status as one of the
14 best places to work in the federal government. This recognition highlights the
15 value the NRC has for its employees and for diversity. As the committees
16 continue to assist the agency's leaders in meeting its objectives in the
17 comprehensive diversity management plan, with your support, we can continue
18 to make the NRC a place where valuing diversity is ingrained in the agency's
19 culture. Thank you.

20 DARREN ASH: Suzanne, thank you. In conclusion, in response to
21 the inspector general's recent safety culture and climate survey, the recent
22 federal employee viewpoint survey, as well as frankly what you heard today, the
23 agency's staff is rolling out a new program that we call Behavior Matters. It's
24 expected to roll out this month. One of the pluses is this program also builds on
25 the recent leadership potential program, one of their class projects. The

1 objective of this Behavior Matters program is to focus on NRC values. The goal
2 is to help us collectively define, understand, as well as model -- and I'm going to
3 emphasize model -- the behaviors that support the NRC values. OCHCO,
4 OEDO, and the Office of Enforcement are partnering to develop the training and
5 workshops for our staff over the coming weeks and months. You'll hear more
6 about this over the next couple weeks. Chairman, that concludes our remarks.
7 Look forward to your questions.

8 CHAIRMAN MACFARLANE: Great, thank you very much. Thank
9 you very much for your presentations this morning. You were very helpful. We
10 will start off with questions, starting with Commissioner Svinicki.

11 COMMISSIONER SVINICKI: Good morning, everyone, and I want
12 to thank the presenters, but I also want to say how pleased and thrilled I am that
13 we have so many members of the advisory committees here today, and I know
14 that many members of the Commission have the opportunity to attend the
15 Special Emphasis dinners, but I want to acknowledge that all of your efforts and
16 the energy you bring goes well beyond those events, which, again, are I think a
17 wonderful opportunity for us to celebrate fellowship and get together. And so as
18 wonderful as they are, though, it's the consistent energy and attention that all the
19 members of the advisory committees are bringing week in and week out. I know
20 that it's very much a sustained effort, but I think the dinners are wonderful
21 celebration, and I always participate and enjoy that so much when I have the
22 opportunity to be a part of those.

23 Speaking of dinners, I was having dinner with some friends earlier
24 evening -- earlier this week, and we were all commenting, as you tend to do with
25 friends, about what is your week like. And we were asking each other, and I

1 said, "Well, busy in that the Commission has two public meetings in one week, so
2 people out of courtesy or if they're genuinely interested." They said, "Oh, what
3 are these meetings about?" So I was talking about the topic of yesterday's
4 meeting, but I said our meeting on Friday will be on EEO and small business
5 issues, and they think as many people who don't have any interaction with the
6 NRC would probably be quick to assume, they said, "Well, I probably, you know,
7 you all, you're very technical and things, you probably don't have much to talk
8 about or highlight at a meeting on that topic," and so what you find yourself, then,
9 all of a sudden -- and I want to tell the advisory committees and the SBCR staff
10 that your energy and enthusiasm for the topic is a little bit infectious, so I found
11 myself being perhaps a little bit of an irksome dinner companion as I went on, I
12 think, for about 10 minutes.

13 [laughter]

14 I said, "Well, actually, I think you'd be quite surprised." And I want
15 to say that as a credit to my friends, I think actually they were surprised at least
16 at all the dimensions and the directions that NRC takes and the ways that our
17 focus and attention on these issues and our sincere commitment to them
18 manifest in a lot of different ways. And so I was at least sensitive enough to
19 eventually drop the topic and allow the dinner conversation to go on to something
20 else other than NRC, small business, and diversity programs. But I have been at
21 a number of these meetings over the years, and I appreciate, I think some of you
22 have touched on the fact that when these programs always have to be in step
23 with and reflective of what the agency is encountering at the time. And when I
24 sat here in maybe 2008 or 2009 where the agency was on a growth trajectory, it
25 was at that time a conversation between the Commission and the NRC staff

1 about how do we best make use of our growth opportunities and how do we
2 target and have, you know, capitalize on this growth trajectory in terms of
3 diversity and small business contracting opportunities. And now here we sit, just
4 a few short years later, and I do want to say that I think it is a tremendous
5 achievement to have been able to maintain our diverse workforce and also
6 increase, you know -- even if it's a modest increase -- increases in targeted areas
7 in terms of management positions and other things, I think, is very difficult to do.
8 And so we ought to say -- I know we're always very tough, and we expect a lot of
9 ourselves -- but I think that in this environment, some of the good trajectories we
10 heard about today in terms of increasing and exceeding in some of our goals --
11 and this includes hiring of veterans, which I think is so essential. It's really our
12 commitment as an agency but also as citizens to our warriors that are coming
13 back. And the unemployment rates amongst them is something that I know is of,
14 certainly a federal government concern, but I think, really, a national concern.
15 We want to find these opportunities. And so I'm very proud. If I had known about
16 that, exceeding our OPM goals, there I probably would have mentioned it at
17 dinner earlier this week, but I just didn't have it at the top of my head. But I also
18 want to contrast that, you know, we've been tracking the small business
19 scorecard and the grade we get, and it is -- Anthony, I want to say that, you
20 know, wonderful that we can talk about achieving an A there. I remember having
21 a back-and-forth with the Commission. This was when Chairman Jaczko was
22 here, but we were talking about whether or not the B was impressive. And I
23 thought a B grade in years past -- I have had an opportunity to work with other
24 departments and agencies in the government, and I think people don't
25 understand how hard it is to achieve those goals, because you don't get credit of

1 certain things that if you have a prime contract and subcontract. So it actually
2 really focuses your efforts in order to achieve. So an A grade is very difficult to
3 do. And I appreciate also, Anthony, that you talked about the fact that depending
4 on bundling or where it is that an agency principally directs its procurement and
5 acquisition dollars, if it's for large systems, it can be very, very difficult to create
6 opportunities that are appropriate for small businesses. So I know that, Vonna,
7 under your predecessor and now under you, we've been really chipping away at
8 that. And I think that our achievement of an A is something that we should
9 celebrate in that area.

10 I did have a question for Tony, and I know he's created a seat here
11 so Suzanne could give us the joint statement. But perhaps he could come to the
12 microphone. You had talked about the Executive Order and that we were in
13 really good shape when that came out for the most part, but NRC did not have
14 and had needed to create a diversity management and an inclusion council. My
15 question has to do with, how did we find that fitting in with the advisory
16 committees with the structure and processes that we had? We now had a need
17 to create this new council. How did we go about that and have we been able to
18 leverage into some of the groups and committees we already had?

19 ANTHONY BARNES: Thank you for the question, ma'am.
20 Basically I looked at other agencies who had already had stood up, Diversity and
21 Inclusion Management Councils. There were some predecessors out there. I
22 will say Veterans Affairs, Department of Energy, and looked at their charter and
23 how they were structured to see if we could leverage off of what has already
24 been done. Our DMAC is a great source of one-stop shopping. The DMAC is
25 the leadership of each one of the committees, and so they support each other

1 from a communications standpoint and a mutual support standpoint, but the
2 DMIC in the guidance from OPM is determined to be an agency level, much
3 more senior individuals. We utilize as part of that membership an individual from
4 each of the seven committees so that we leverage the committee resources in
5 order to help that diverse thought. In addition, there's SESs on the DMIC that
6 don't exist at a DMAC level, et cetera. So we have built a council whose purpose
7 is to be a taskforce, an agency level taskforce to discuss the CDMP and the next
8 place where it will go. Are we headed in the right direction? So when we
9 established the DMIC it was based on a lot of information gathered from outside
10 of the agency, as well as some OPM guidance on what that DMIC should look
11 like and what kind of tasks it should perform.

12 COMMISSIONER SVINICKI: Is it fair for me to understand from
13 your answer then that we were able, to the extent possible, to continue some of
14 the preferred practices and ways of communicating and coordination among the
15 committee so we were able to capture that even though we had this additional
16 requirement, so we've kept some of our preferred ways of doing business and
17 working with each other?

18 ANTHONY BARNES: Yes, ma'am. I'd say so.

19 COMMISSIONER SVINICKI: Okay. Okay. Thank you very much.

20 VONNA ORDAZ: I'd like to offer also in the DMIC that he was
21 referring to, in executing the goals that are in the Executive Order from the
22 President, three goals: workplace diversity, workforce -- actually, workforce
23 diversity, workplace inclusion, and sustainability. So they're really lofty goals that
24 have a lot of sub-goals under them, and in doing so the main interest under that
25 Executive Order was to bring the OCHCO organization and the SBCR -- actually,

1 it's called EEO organization outside the NRC, together to help blend some of the
2 policies and expectations on recruitment and retention in all of these activities to
3 help broaden the interaction, strengthen the partnership, and help produce
4 further results in the diversity area.

5 COMMISSIONER SVINICKI: Okay. Thank you. That's very
6 helpful. And Anthony, I wanted to ask, I know you touched on the question of
7 bundling and how NRC has been able to continue to create and sustain
8 opportunity for -- against our small business goals, but as we look not just as the
9 impact of consolidation -- you did touch upon government-wide initiatives to go to
10 more enterprise-wide acquisition, but we may also have budgets that are getting
11 smaller. Could you elaborate a little bit, and again, you kind of touched on it, but
12 strategies and techniques that NRC is going to use going forward and enable us
13 to sustain our very strong record in small business contracting?

14 ANTHONY BRIGGS: Certainly. One prime example would be one
15 of the acquisitions that I mentioned in the presentation. The largest small
16 business set-aside in the agency's history for over \$100 million was using a
17 government-wide acquisition contract vehicle under the General Services
18 Administration. So not only are we looking internally at what enterprise-wide
19 contract vehicles we can create to service the entire agency, but we're also
20 looking federal-wide at other agencies that have small business contract vehicles
21 that serve other agencies as well. So it really comes down to acquisition
22 planning and market research. That's the key to really explore the marketplace
23 and what small businesses can provide.

24 When the budget begins to shrink, opportunities will decrease.
25 There are ways where we can shift. Because right now we're looking at

1 enterprise-wide contracting. Really, why are we doing that? There was a
2 spending analysis where we looked at the agency's spending over the last couple
3 of years and it appeared that we were buying the same services or similar
4 products through various program offices at the agency, so we wanted to
5 consolidate it into a more manageable approach. We really need to focus on
6 when we do consolidate, do small businesses have the capability to perform? If
7 not, and we start to shrink down to smaller contracts, those opportunities should
8 be available to small businesses to provide that particular product or service.

9 DARREN ASH: Commissioner, just one other piece to that, and I
10 think it's absolutely vital to be able to support Anthony and the agency, and that's
11 the senior leadership attention, and that's provided through our strategic sourcing
12 group. It's a cross-agency group at the senior level. We've -- I felt that we've got
13 -- we're comfortable in terms of the processes and mechanisms but also the
14 questions we ask. These are of contracts and interagency -- these are things
15 over a million dollars, and so these large types of opportunities, we have to ask
16 that important question. Is this an opportunity for small business? We also use
17 that as a forum to ask, is this an opportunity to be able to support the center as
18 well? So it's that high level attention that is also vital.

19 COMMISSIONER SVINICKI: Okay, thank you. Thank you,
20 Chairman.

21 CHAIRMAN MACFARLANE: Okay. Commissioner Apostolakis.

22 COMMISSIONER APOSTOLAKIS: Thank you. Thank you all for
23 the very interesting presentations. Eric, you said that you yourself and managers
24 in general have an open door policy. Do people take advantage of that? Do they
25 come to you to talk to you about things?

1 ERIC LEEDS: Yes, they do.

2 [laughter]

3 They certainly do. Sometimes it's very formal, Commissioner.
4 Sometimes they go to my secretary and they make an appointment and as they
5 come through the door they look at me and they say I'm here under the open
6 door policy. And it really steels you in terms of being ready. There's somebody
7 here that has some vital concern.

8 COMMISSIONER APOSTOLAKIS: Why do they come to you? I
9 mean, their immediate supervisors don't listen or what? Or you're just a nice
10 guy?

11 [laughter]

12 All of them?

13 ERIC LEEDS: Why do they come to me?

14 [laughter]

15 COMMISSIONER APOSTOLAKIS: You are the director of the
16 office.

17 ERIC LEEDS: Yes, sir.

18 COMMISSIONER APOSTOLAKIS: And you have people who
19 have branch chiefs above them, deputy directors, division directors --

20 ERIC LEEDS: I would hope that when the people come to me that
21 they've talked with their branch chiefs, that they've talked with their division
22 management, and that they've gone through the chain, but for whatever reason,
23 some people -- perhaps they don't feel comfortable doing that. Some people feel
24 that they need to come to higher levels. I'm more concerned that -- to make sure
25 that they feel comfortable coming to talk to me. I think that's the ultimate

1 message. Why do they come to me? Because I'm the director of the office. I'm
2 responsible.

3 COMMISSIONER APOSTOLAKIS: That means lower levels of
4 managers don't listen?

5 ERIC LEEDS: I hope that they do. I hope that they are listening. I
6 hope that they've gone through the chain before they come to me,
7 Commissioner, but that isn't always the case. Sometimes they jump the chain. I
8 know that we have some staff that come up -- I think they come up to see the
9 Commission before they've come to me.

10 DARREN ASH: Ultimately, we have to lead by example. I know
11 the number of drop-ins, the open door visits that Bill gets, I get, we all get. We
12 need to lead by example. And I agree with Eric. In many cases they just want to
13 be heard. They want somebody to talk to. They don't want anything -- us to do
14 anything, they just want to be heard. But in many cases one of the questions we
15 ask, have you talked to your supervisor? Refer them back, but I think, you know,
16 it goes back to my first point. We have to lead by example. We all have to
17 enforce and respect this concept of an open door.

18 COMMISSIONER APOSTOLAKIS: Don't misunderstand me. I
19 mean, I think it's a great policy. I'm just curious how many people take
20 advantage of it and why. Anyway, you have any more to say?

21 ERIC LEEDS: Well, sometimes it's very formal, sometimes very
22 informal. When I'm walking around the hall somebody will come up to me and
23 start talking to me about an issue, and you've got to be on your toes. You've got
24 to be ready. "Ah, there's something important here." And maybe folks see that
25 it's just an opportunity, but you always need to be receptive. You need to be

1 ready to listen.

2 COMMISSIONER APOSTOLAKIS: Okay. Thank you.

3 VONNA ORDAZ: And I would just offer that it's a real positive.

4 We've had some positive feedback from our colleagues at the Equal Employment
5 Opportunity Commission and others on the model programs that the agency has,
6 not just in EEO, but also in the OCHCO programs, and also the OE programs
7 that are mentioned, the open collaborative work environment. There's been a lot
8 of work over the past year even further to help broaden the concept of open door
9 policy and open collaborative work environments. So it's a real compliment that
10 people feel comfortable going to any levels. I know the Chairman's probably had
11 some visits as well. So, thank you.

12 COMMISSIONER APOSTOLAKIS: Thank you. Suzanne, could
13 you give me more details about this issue with people over 55?

14 SUZANNE SCHROER: Absolutely. I'm so glad you asked,
15 because I only had five minutes. So, I was aware when I became co-chair of the
16 committee, that in 2003 and 2007 there were studies done by the NRC
17 statistician, which is a position that no longer exists, that showed that there was -
18 - once you reach 55 your performance appraisals for whatever reason started
19 going down. But in preparation for this meeting, this has been an issue since
20 1990. There was a memo from the EDO at that time that said, you know, this is
21 sent out to all supervisors and said this was an issue. And so we're not really
22 sure what the reasons are. In the past we have worked with SBCR to inform
23 managers during their diversity training, but that really hasn't -- as I mentioned,
24 that really hasn't met the underlying issue, and so right now we're working with
25 SBCR to look at data from the federal employee viewpoint survey and from the

1 OIG safety culture and climate survey to see if there's any sort of correlation
2 between age and these kind of engagement factors. But this is an issue that
3 we've seen. If you want specific numbers I can definitely provide those.

4 COMMISSIONER APOSTOLAKIS: I must say I'm a little surprised
5 by what I hear. I would expect employees over 55 to be very knowledgeable and
6 very experienced with the agency and the industry and so on. So I must say I'm
7 a little puzzled by what you are saying. And these people are appraised by
8 people who are over 55, too, right?

9 SUZANNE SCHROER: I guess that would depend on your
10 manager.

11 COMMISSIONER APOSTOLAKIS: But by and large I would
12 expect, you know, the senior people to be over 55 as well. So I don't know. Eric,
13 do you have any comment on this? I don't understand it.

14 DARREN ASH: Commissioner, it's a good question.

15 COMMISSIONER APOSTOLAKIS: Chairman corrected me.

16 [laughter]

17 Not all of us are over 55.

18 [laughter]

19 I'm sorry.

20 [laughter]

21 DARREN ASH: Okay. I think we have a responsibility. I think one
22 of the things that we've gotten from the advisory committee is a wealth of
23 information, and it's our responsibility now to assess it, analyze it, and figure out
24 what are the trends. Is there really an issue? I don't know. That said, and I point
25 to something that came up at the recent ALMPC meeting with NTEU in

1 partnership, is what can we do as an agency to improve our appraisal process in
2 terms of educating and training our supervisors? One of the things that was
3 suggested was having a meeting with supervisors providing the type of training --
4 I think it was before the mid-year's if I remember correctly -- confirm it real quick.
5 I'm looking at Sheryl. But also ensuring that we do the appraisals right, and
6 supervisors are trained on what should be --

7 COMMISSIONER APOSTOLAKIS: The thing that I find a little
8 troubling is that Suzanne said this is a problem since 1990. I must say I don't
9 quite understand what's going on.

10 On Slide 6, Vonna, you gave us statistics on formal complaints.

11 VONNA ORDAZ: Yes, sir.

12 COMMISSIONER APOSTOLAKIS: It would be very interesting to
13 me to also know what the statistics are regarding how many of these were
14 actually credible. How many did you find that they were -- that they had merit?
15 Because it's one thing for somebody to complain and quite another for your office
16 or the process or system to say, "Yes, you're right," or "That's frivolous," or -- so,
17 do you have any -- you probably don't remember statistics, but can you give me
18 some idea?

19 VONNA ORDAZ: Sure. I have some.

20 COMMISSIONER APOSTOLAKIS: Okay.

21 VONNA ORDAZ: As we mentioned earlier, there's been no
22 discrimination complaints filed since 2004, so anything that's actually gone
23 through the complete process and been declared as discriminatory --

24 COMMISSIONER APOSTOLAKIS: Isn't some action based on sex
25 or race discrimination? What is the distinction?

1 VONNA ORDAZ: Right. These are all allegations and they go
2 through various processes. There's what we call contacts, which aren't
3 represented in this table. This table has the formal complaints, such as in this
4 past fiscal year we had 16 formal complaints, and they go through varying
5 stages. In many cases they're settlements. We've -- there's been a big
6 promotion on this ADR, the alternate dispute resolution, to settle cases. When
7 you go to a settlement there's not -- it doesn't declare that there's wrongdoing on
8 either party. So we do have a wonderful success rate of about 50 percent. We
9 offer it 100 percent of the time, but we have a 50 percent success rate in
10 settlements, and in those cases the issues are resolved before they go any
11 further, and there's no findings of discrimination at that time.

12 COMMISSIONER APOSTOLAKIS: So, again, 16 percent, you say
13 -- or 21 percent?

14 VONNA ORDAZ: These are allegations.

15 COMMISSIONER APOSTOLAKIS: Allegations. So, these were
16 settled? Is that what you're saying?

17 VONNA ORDAZ: No. These are complaints that have come
18 through in FY 2012 and they're at various stages. There's a -- you know, various
19 windows where there's counseling opportunities, there's decision-making, there's
20 investigations that have to go on. It's a lengthy process that at some point in the
21 stage either the agency can identify a final agency decision or it can be taken to
22 a hearing where it goes through a hearing process and a finding is determined at
23 that time.

24 COMMISSIONER APOSTOLAKIS: So, I mean, let's go back to
25 fiscal '11.

1 VONNA ORDAZ: Okay.

2 COMMISSIONER APOSTOLAKIS: What kind of percentage do
3 you expect, or what kind of percentage actually of complaints turned out to be
4 valid, to have -- I mean, are we talking about a large percentage?

5 VONNA ORDAZ: Valid. When you say that --

6 COMMISSIONER APOSTOLAKIS: Well, I mean, you found the
7 complaint was actually -- had merit. It was true what the complainer said.

8 VONNA ORDAZ: Right. There's either a finding of discrimination
9 or no finding of discrimination essentially. And please correct me, Lori, if you'd
10 like to chime in, but we had -- in '11, fiscal year '11, we had about the same
11 amount of complaints as we did in fiscal year '12. They have gone up over the
12 past couple of years, but again, those -- some of those are still open. Some of
13 them have closed. When I mentioned that we've doubled the number of
14 settlements, some of those were from older cases. Some of them go for many,
15 many years depending on what stage of the process that the complaints are in.

16 LORI SUTO-GOLDSBY: Good morning. How are you all doing
17 today? Just some clarification. Thank you for asking about this, commissioner.
18 These are -- on the pie chart, these are actually allegations that have been filed
19 with our office during the past fiscal year, fiscal year '12. And I think your
20 question is -- or I interpret your question is how many of these cases may have
21 been found to be meritorious --

22 COMMISSIONER APOSTOLAKIS: Yes.

23 FEMALE SPEAKER: -- with a finding of discrimination.

24 COMMISSIONER APOSTOLAKIS: Yes.

25 FEMALE SPEAKER: These are the allegations that have been

1 filed, and as Vonna had mentioned, too, that a number of cases went to
2 mediation and were settled. There could have been some instances where there
3 may have been findings of discrimination, but we were very proactive in working
4 with complainants and management officials to come up with creative solutions
5 to resolve those issues, where perhaps the parties may have gotten together to
6 review a performance appraisal issue, and because of the open dialogue the
7 complainant might have understood why an action was taken and the employee
8 might have been rated a certain way, and the case would be settled and,
9 therefore, it didn't get to the point of where a decision of merit would be issued or
10 a finding of discrimination would be issued.

11 COMMISSIONER APOSTOLAKIS: Thank you very much. Thank
12 you, chairman.

13 CHAIRMAN MACFARLANE: All right. Commissioner Magwood.

14 COMMISSIONER MAGWOOD: Thank you, Chairman. Let me
15 start off by -- first by thanking the DMACs. I mean, I think that we talked about
16 this a bit and others have mentioned it, but you know, I do think -- it comes up a
17 lot as I go to other venues, you know, the plant visits and that sort of thing, and
18 we talk about issues associated with the demographics of the industry in large,
19 and we all know we all suffer from the same basic demographic form where we
20 have, you know, a significant number of people who are, you know, eligible for
21 retirement, near eligible for retirement, and a significant number of people who
22 have just sort of come in and they're relatively young and we have general value
23 that we see in the industry. So you do have this opportunity in a lot of places to
24 change the nature of the workforce, and I point to NRC as a case in point where
25 if you visited the NRC a decade ago and you talked to engineers and you talked

1 to people, as I've done over the years, you saw a very similar type of person as
2 you walked the halls of NRC 10 years ago. That person walking the halls of NRC
3 today sees it very different, much more female, much more diverse, much more
4 minorities, more people with slightly different accents. You know, you see that
5 more in this building and it's really quite remarkable how quickly it's happened,
6 and in large part because of the demographic shift that we've seen taking place.
7 And so I think that the fact that there's so many employees who are willing to
8 spend so much personal time -- I know that all of you spend a lot of your own
9 time doing this work, and it's not because you're promoting some particular issue
10 or viewpoint, it's because you care about the organization. And I think that's
11 something that sometimes doesn't quite get said, so let me say it here. I
12 recognize that that's why you do what you do and I appreciate that, and I think it's
13 something that separates NRC from a lot of other agencies. So congratulations
14 for that.

15 And I think the Chairman mentioned in her opening remarks,
16 Vonna, that you -- I also appreciate the energy and leadership that you've
17 exhibited since taking this position. I think you've done a really, really fine job, so
18 I appreciate what you've done. And many of the people that work for you, the
19 enthusiasm they bring to their positions and the success -- and often with work
20 like this you get more recognition outside the building than you do inside the
21 building, so this is an opportunity to recognize you inside the building.

22 You know, for example, I know that our small business activity gets
23 a lot of recognition and deservedly so. When we first started down the path of
24 strategic acquisition I was very concerned about what was going to happen to
25 small businesses, and instead of seeing progress go into reverse, you've actually

1 accelerated it, and I think that's a tremendous success story.

2 Another one, which I've already mentioned to you, when I visited
3 Texas A&M, Texas A&M brought together a large number of minority-serving
4 institutions to talk about their interactions with the NRC. They talked glowingly
5 about the work that we do and the small amounts of money we provide them to
6 encourage them along and, of course, they're all in love with Tuwanda. You
7 know that. They all speak glowingly of her. And so that's something I think that
8 needs to be recognized. I'm glad we have this opportunity to recognize those
9 things today.

10 Also, you know, and I appreciate, Eric, your comments to the
11 degree I was able to listen to them, as I can't get past your atrocious shirt --

12 [laughter]

13 -- I do think -- I think the one thing you were able to bring to the
14 table today -- I think this is your mission today and you accomplished it, was to
15 talk about how these issues are not separate. They're really integral to the
16 management of the organizations, and I appreciate you were able to bring that.
17 You did mention this other issue about this thing that's happened this week, and I
18 guess you made reference to the Ravens. And I know there are -- yes, I see you
19 over there -- I know there are Ravens fans and I would like to wish you success
20 and luck this weekend, but I just can't do that.

21 [laughter]

22 So you're on your own. I will be watching, however. Now, you
23 know, we talk a lot about football around here, but, you know, I'm actually by
24 nature more of a baseball fan, so baseball's actually more important to me and
25 being a Pittsburgh Pirates fan, which is a tremendous display of character, if

1 nothing else --

2 [laughter]

3 -- you know, when you have a small market team you focus not so
4 much on what the team is doing today, on the accomplishments it's making, you
5 focus a lot more on the drafting, on player development, you focus on what's
6 happening in the pipeline. And I look at the NRC kind of like a small market
7 team. So, I recognize there's a lot of issues we could talk about with, you know,
8 women and minorities and SES positions and senior positions. I know we have a
9 lot of work to do there, but I tend to look a lot more at what we're doing in the
10 pipeline. And when you look at the pipeline -- and I thought that the
11 comprehensive diversity management plan talked about this quite extensively,
12 and I like the designation of feeder groups, because I think that's a good
13 indication of where we're going, and this agency is doing very well in that
14 category. So I think the bottom line is about 50 percent for the whole
15 organization, 50 percent of people in, I think, it was like 13, 14 positions where
16 women or minority groups, and that held, and when I checked the numbers I was
17 interested to see how that looked -- you looked at the large technical offices like
18 NRR, for example. You look at NRR, NMSS, NRO, and it's about 50 percent. So
19 they're actually very representative of that 50 percent. So there were some other
20 groups that were a lot higher, some a little bit lower, but one group that sort of
21 stands out, and this is sort of the focus of the question -- I wanted to see -- I
22 wanted to give David a chance to talk and the rest of you weigh in, the regions
23 stand out as being on the low side on this. I looked at the numbers. Region I, 34
24 percent. Region II, 40 percent. Region III, 35 percent. Region IV, 38 percent.
25 Significantly noticeably lower in that category when it comes to the feeder

1 groups. Now I know that there's good people working on these issues. Beth, I
2 talked to this morning, and appreciate you coming in and giving me a view on
3 what's happening in Region I. I've met with DMACs in the other regions, so I
4 know people are doing things, but what's -- is it the history? What is the reason
5 that we see that discrepancy between the rest of the NRC and the regions? Why
6 are the regions so noticeably lower in terms of the feeders?

7 DAVID LEW: That's a very good question, and I'm not sure I have
8 the full answer. You know, we are attempting to try and work on the feeder
9 groups through the entry level, but relative to the demographics in Region I, as
10 an example, greater than 56 percent of the staff is over 50, so that's a large
11 number, and they've been there a long time. And so the turnover has certain --
12 as for certain groups are very low, and as we get new feeders in, what we've
13 seen is a large migration to headquarters, because that's where the opportunities
14 are, particularly during the period when they were hiring. And so, for example,
15 the last three years for Region I, you know, we hired about eight or nine
16 minorities and female inspectors, and even though our numbers haven't
17 changed, we only lost one externally. So there is a good flow going through
18 headquarters. That's positive. I think they're also exposed to some challenges.
19 We do have sites in remote areas, which may not be as attractive to certain
20 groups, and that's just reality when you go to upstate New York or some other
21 areas that we have had some inspectors out there, and they chose to actually
22 leave because of the area.

23 COMMISSIONER MAGWOOD: Vonna, do you have a --

24 VONNA ORDAZ: Sure. Lori Suto-Goldsby, Jerome Murphy, and I
25 were able to get around to each of the regions this -- within the past four months,

1 and we asked some of the same types of questions and I know one region that's
2 not represented here today but is having difficulties in recruiting women in
3 inspector positions, a real difficulty, and they expressed that to us. So we're
4 working with OCHCO to see if there's any other things that we can do in terms of
5 the recruitment process, and where universities are targeted, and different ways
6 of bringing women in, and we think it could be attributed to some of the mobility
7 challenges where they may not be as mobile for other reasons that we discussed
8 before. So, that's just one of the areas, and that's the benefit of us
9 communicating with the regions and for them sharing this great information with
10 us so we can look at that to see if there's anything that can be done. And this all
11 blends in to this whole diversity and inclusion order that we're, you know,
12 executing through the strategic plan in order to bring in the inclusivity piece and
13 the diversity piece and see if there's ways that we can work together to achieve
14 the common goals to help, you know, ensure a more diverse workforce.

15 DARREN ASH: One thing that I think about is some of the tools
16 are in place already. When I think about the retention, the recruitment, or
17 relocation incentives we have for hard-to-fill resident inspector locations, we've
18 got the data on that. That's something that already exists and we take advantage
19 of that. It also gets into, how do we get more people out to the regions? One of
20 the things that the executive resources board chose to focus on this year through
21 our -- in this upcoming candidate -- SES candidate development program, is a
22 special emphasis on the regions, knowing that we need to ensure that we've got
23 a good pipeline in the regions for leadership.

24 ERIC LEEDS: And if I could add one thing to support what Dave
25 was saying, we covet that resident inspector and that inspection background

1 here in headquarters. So our folks get great experience out in the regions, and
2 we want them to come to headquarters to help us out and bring that experience
3 to us. And understand, we want a strong agency, and so that's hard. It always
4 puts pressure on the regions, because here at headquarters, yes, we do recruit
5 folks from the regions.

6 VONNA ORDAZ: I do know there's a lot of mentoring that goes on.
7 I had one relatively new individual, female, in my office yesterday, beginning of
8 her career, completed the NSPDP, bright future ahead of her, very sharp lady,
9 and where do I start? You know, very interested in all -- she wants to do
10 everything, and I said, get in the field. Get in the field. That's where I started,
11 and that's where I felt that I got the foundation to be an inspector in the frontline,
12 to be able to come back and do reviews, evaluations, and all the other things,
13 great things that we do here at headquarters. Being on the frontline really does
14 help, and so I think through the mentorship, through the work/life balance
15 programs that OCHCO offers, to have flexible schedules, and those flexibilities
16 help as well. But we can continue to do further to help in the different pockets
17 that we have.

18 COMMISSIONER MAGWOOD: All right. Well, I appreciate that. I
19 think I appreciate hearing that there is a focus on the regions in the area. You
20 know, I encourage you to, you know, to keep that focus, because I do think it's
21 important that we have those pipelines in the regional offices and particularly in
22 the resident inspector ranks, because I think that resident inspector experience is
23 a pathway to senior management, really ultimately. I mean, people with that
24 background are more likely to go further, I think, in an organization like this
25 because of the practical experience they have. They're not -- so I think it's

1 something that we should encourage, though, if there's ways we can be helpful in
2 that, please, you know, don't be shy about -- you guys are never shy, but don't be
3 shy about letting us know. Thank you, Chairman.

4 CHAIRMAN MACFARLANE: Thank you. Commissioner
5 Ostendorff.

6 COMMISSIONER OSTENDORFF: Thank you, Chairman. Thank
7 you all for your presentations. I want to add my kudos to that of my other
8 colleagues in congratulating this team, all the people behind you, and other
9 people that are not here, on your significant achievements and accomplishments.
10 They are significant. Just also a comment that there are many federal agencies,
11 from my experience, that do not have this kind of a meeting, and so I think the
12 fact that we do as other Commissioner colleagues, Commissioner Svinicki is
13 talking about, this is probably five years, six years going on for her, these
14 meetings, the fact that it's a matter of priority for the Commission, it's a priority for
15 the EDO DEDO's office, it's a priority in your area, but also for everybody here I
16 think that speaks very well for the agency, but I'll tell you, not everybody does
17 this. I'd say the majority of federal agencies, from my experience, do not.

18 I've got some comments to make on different presentations, a few
19 questions I'll intermix in there. Let me pick up where Commissioner Magwood
20 was talking, because I think, you know, he and I have had a lot of discussions on
21 the resident inspectors, and I just want to associate myself with his remarks and
22 the importance of the resident and regional inspector programs. Every time I visit
23 a nuclear power plant I spend 30 minutes with the residents before I meet the
24 licensee, and I know other colleagues do the same thing, and I continue to this
25 day to be extraordinarily impressed with the caliber of individuals, the men and

1 women that are serving in those positions. I don't think they get enough visibility
2 external to this agency. In a number of speeches I think probably colleagues
3 experience the same thing, giving public speeches talking about the residents,
4 and people are surprised to see that we have full-time people assigned to
5 different facilities, and so I, just from a communication standpoint, offer that
6 feedback to you.

7 Small business. Tony, I had a experience when I was at DOE
8 working on small business and goals and so forth. I just want to add my kudos to
9 that of Commissioner Svinicki's in that, you know, that's a big accomplishment. It
10 is not easy to get an A, and those target goals are very challenging, demanding,
11 especially in uncertain economic fiscal planning scenarios. So I just want to add
12 my thanks to that of other colleagues, because that's a big deal.

13 I want to talk very briefly, David, your comment you made, I think
14 was made in the context of small businesses as well -- and this isn't a veterans
15 piece. I've done some interface with you guys and some of your teammates on
16 veterans issues in the federal government and elsewhere, any one time I'm
17 probably coaching or trying to help two or three veteran friends or -- not
18 necessarily friends, but people that have asked for help and just advice and
19 mentoring on finding jobs, and the only advice that I would give our team here in
20 the veterans area is you solve this one person at a time. If you try to go out and
21 say, "Well, I'm going to go try to hire X number" or whatever it may be, that's
22 admirable, but solutions and success, I think, are achieved one individual at a
23 time. And I think that was what I was hearing, David, from your comment, but
24 also from Anthony's comment about the placement of contracts to disabled-
25 veteran-owned businesses one situation at a time. I think it's hard to have a one-

1 size-fits-all approach. So I think you all are on the right track to look at this on an
2 individual person or individual business perspective.

3 Vonna, I wanted to ask a question on MSI grants and awards, and
4 just at a high level, can you tell me a little bit about the process by which
5 individual institutions are selected to receive NRC funding?

6 VONNA ORDAZ: The process, you know, in 2012 we had about
7 200 -- 2.8 million grants provided, and prior to that, you know, a solicitation goes
8 out, and we have also worked with colleges and universities to be able to help
9 them from a technical assistance and to be able to be successful, even further
10 successful in applying for these grants. And in doing so in many cases, there's
11 more grant applications to the postings that go out. We have postings from the
12 minority-serving institution program. The OCHCO office has postings in their
13 grant programs as well. But we work heavily to help ensure that there is a great
14 awareness so people know when to apply, they know how to apply, they have
15 the skills and the tools to be able to apply. We also do compliance reviews. We
16 do a pre-award compliance review and a post-award review, and that's to help
17 ensure that -- the pre-process is to help ensure that the universities are armed
18 and prepared and have everything in place to be able to be successful in
19 receiving the grants, and the post-review process gets involved with ensuring
20 that they are utilizing the grants properly, and it's part of our compliance process
21 that we go through.

22 COMMISSIONER OSTENDORFF: Do you receive external
23 stakeholder engagement on this topic about -- in the selection process,
24 Congress, congressional committees, individual offices?

25 VONNA ORDAZ: Not at that level, and I would be welcome to

1 others to share any insights on that, but there is a panel process, but it doesn't go
2 up. We don't get involvement at that level to my knowledge.

3 COMMISSIONER OSTENDORFF: There's big dynamic with that
4 at the Department of Energy. I was curious as to whether that was seen
5 elsewhere.

6 VONNA ORDAZ: But there is interest. We've had a greater
7 partnership over this past year with OCHCO on the grants that come, you know,
8 that the agency has as a whole for the university programs, and looking at
9 exploring further the panel process there to help ensure that there is even further
10 brunt of the thinking to include the MSIs further into that program area.

11 COMMISSIONER OSTENDORFF: Okay. Thank you.

12 VONNA ORDAZ: And there's -- I just wanted to mention, though,
13 too, and this -- Commissioner Magwood and I have talked about this before
14 about the partnerships, and out there, you know, you've got these minority-
15 serving institutions, you have institutions of higher education, which I call the
16 non-MSIs, and there's a greater partnership going on between those two areas,
17 and that helps with the collaboration. It helps the MSI universities and colleges
18 to be able to prepare further and apply for grants. So we're helping, thanks to the
19 outreach and compliance coordination team behind me, we're really doing a lot of
20 work to help bring further partnerships. We've explored -- we have -- Nancy, who
21 is here from the OCHCO staff, came from DOE, who worked with Commissioner
22 Magwood, and we have some even further energy and interest to make that even
23 better this next year.

24 COMMISSIONER OSTENDORFF: Thank you. Let me shift gears
25 here a little bit. Tony, I thought that your statistics were very helpful in this

1 demonstrating the progress made. I think in the time period from 2008 to 2012 it
2 increases 7 percent, as I understood it, on minorities and female representation
3 in the SES community. I think well intentions -- or good intentions are important,
4 results are even more important. So I think the results, I think, were very helpful.
5 I am going to ask a cross-cutting question. I'm going to ask it of Suzanne, Tony,
6 and if Miriam wants to chime in you can, because there's an issue Commissioner
7 Apostolakis hit on that got my attention.

8 I remember at an OCHCO meeting in 2012, I believe Jody Hudson
9 talked about a -- the need to -- I'm sorry, let me back up. This gets to the
10 performance evaluation piece you're talking about for older workers and for
11 minorities, and I'm going to get to the theme of to what extent are we or
12 supervisors providing appropriate, clear, actionable feedback in the performance
13 evaluation process? Jody Hudson talked about the difficult conversations
14 training session. I know the FEVS survey is out, and I'll ask this question, maybe
15 with Tony and Suzanne, to what extent are the people that perhaps are not on
16 track performance-wise, is there an assessment that they are receiving
17 appropriate constructive feedback in the performance evaluation process? Any
18 observations in that area?

19 ANTHONY BARNES: Well, actually, that's interesting, because this
20 year we focused on the fact that we looked at the trending of this very small
21 number of individuals that are consistently in the MS category. It appeared that
22 they were the same probably seven people every single year, and so the
23 committees took note of that and, you know, obviously we have to be very careful
24 sensitivity-wise working with OCHCO to see what can we do as a resource to
25 help those individuals move in the right direction. But the data that Suzanne is

1 talking about is -- was just data evaluation only, and the number is very small --
2 but I'm not a statistician, but the statistician that did the work considered that
3 even though it was a 0.15 point slide in the performance, that statistically that
4 was significant based on the screened group, et cetera.

5 We looked at what would it take. What kind of evaluation would it
6 take to get at the why? It's not a small number. It's probably a big number,
7 because those individuals worked their way up in the agency being evaluated by
8 different evaluators along the way in different offices with different standards, et
9 cetera. It's not an easy solution to come up with, but we obviously have work to
10 do. I have briefed all 10 of those managers and supervisor EEO refresher and
11 initial training sessions, and one of my bullet points was to ensure that managers
12 and supervisors are reminded that there is a merit-based principles evaluation
13 process here. It's on the OCHCO website. It's very clear. And so if there is an
14 age or race or gender bias that is working its way into that process, then it
15 shouldn't be, and so that's what we're focused on. We're focused on merit-based
16 evaluations as opposed to evaluation of any other flavor.

17 SUZANNE SCHROER: And I think I'd like to clarify my remarks
18 about performance appraisals. We, as Tony mentioned, only see six or seven
19 people consistently rated minimally successful, and where we're seeing this is in
20 the fully successful range really, which is, in theory, you know, fully successful
21 you're doing your work -- but just to give you some examples, employees over
22 the age of 56, which are about 30 percent of the staff, are receiving about 41
23 percent of the fully successful ratings, and then when you look at outstanding
24 ratings they're receiving significant percentage less than younger employees. So
25 that's the kind of issues that we're looking at. And, as Tony mentioned, we're just

1 looking at the data right now and we're trying to figure out that why, and that's
2 really where we are right now.

3 COMMISSIONER OSTENDORFF: Vonna, I'll give it to you.

4 VONNA ORDAZ: I'll defer to my colleague at OCHCO.

5 MIRIAM COHEN: Tony has all these notes here. Unfortunately
6 they're not going to help me.

7 [laughter]

8 Anyways, good morning. It's a great question, and I know Sheryl, I
9 think, is back there. She's going to probably address the group at the end of the
10 meeting. But performance and management continues to be a challenge in the
11 agency at all levels. We've had a number of communications with NTEU about
12 what some of their concerns are in terms of feedback that they get from
13 supervisors. Is it enough? Is it quality? We also have survey data that we're
14 going to be pouring through between the two surveys that coincide with last year
15 in terms of how we deal with poor performers. So, there's like multi-levels to this
16 area of performance management, so I think it's a critical issue in the agency.
17 It's something that we're working on. We have people that are pouring through
18 the data right now. We're going to be looking at the cross-cutting themes coming
19 out of that data. We have active partnership with NTEU, and so we have to
20 really sort of peel the onion back, because clearly the frontline is the supervisor,
21 and while we have really quality supervisors in the agency, do we know for a fact
22 that every one of them, I mean, we've probably got 300, 400, over 500
23 supervisors, are sitting down and doing all the things that are in our various
24 workshops and tools that we provide them? It's probably spotty, but you know,
25 we think that most of the supervisors are doing a good job, but we need to rely

1 on the data that we're getting from the surveys, because we could think our
2 supervisors are fantastic, but if the employee survey data says something else,
3 then it's an area of opportunity for us to do better. So, we're going to spend a
4 significant amount of time in the next coming weeks and months to further delve
5 into the issue.

6 COMMISSIONER OSTENDORFF: That's an important area.

7 Thank you, Miriam.

8 VONNA ORDAZ: We would just like to echo what Miriam said and
9 offer that, you know, even more recently with all the results that Miriam referred
10 to with FEVS and safety culture results, there's, you know, some recent
11 communication from the EDO's office sharing the team approach across the
12 OCHCO office, our office and in some cases, and with assistance from IG and
13 others, to be able to look at some of the cross-cutting items out of these results,
14 including performance management, and we do believe that will help address
15 one of the common issues that we find in EEO complaints, which is performance
16 management as well.

17 COMMISSIONER OSTENDORFF: Thank you. Thank you,
18 Chairman.

19 CHAIRMAN MACFARLANE: Okay, so let me thank you all again
20 for your presentations and just ask a few questions. Let me start off with Vonna
21 and Darren, and this comes out of my own observations and experience. I really
22 appreciate Commissioner Magwood's attention to the pipeline. I think that is
23 exceptionally important and you can't take your eyes off of that ever, because
24 otherwise it all goes awry. But so then let me -- I'll leave him on top of that one
25 and I'll shift to the other end, which is the management end. And, you know, I'm

1 noting the observations you made, Suzanne, from the advisory committees
2 where in your report you mentioned the need for better representation of women
3 and minorities in management. This is not a problem that is unique to the NRC,
4 of course. You know, you see this in business. There's discussion in the media
5 about, you know, where are the women and minority CEOs? I've seen this for
6 years in my own field where there is a decent pipeline, a STEM pipeline, you
7 know, producing women PhDs, minority PhDs. There needs to be more work on
8 it, certainly, but -- in the women end, but then you just don't see it represented,
9 you know, at the full professor end. It just disappears. And it's been like that for
10 years, and so there is clearly a problem. You know, we talked about the glass
11 ceiling, et cetera, but there's a problem. So I'm curious to know what you guys
12 are thinking about and what the leadership at the agency is doing to address this
13 issue. So if you could talk a little bit about that, and maybe compare how the
14 NRC does with other federal agencies, that would be helpful.

15 DARREN ASH: Chairman, thank you for the question. There are
16 two words that really come to my mind, maybe throw in a third one, which is
17 fairness, inclusion, and equity. I think that's really holistically when we look at the
18 composite of our workforce and composite of our leadership, is what can we do
19 and what are we doing to obviously stay focused on the pipeline, but ultimately
20 enable everybody's success, and having through partnerships with the advisory
21 committees through OCHCO, through SBCR, through all the different
22 mechanisms, how do we grow people through rotations, through the different
23 training programs, the LPP leadership potential program, the candidate
24 development program? Those are all great opportunities for us to look across
25 the board and what can we do to grow the entire pool, grow entire pool of

1 management and leadership. And Vonna, if you want to talk about the
2 comparison.

3 VONNA ORDAZ: Sure. I think in comparison we're a little lower
4 than some of our colleagues in other agencies, but we're in the general ballpark,
5 and I think if you hear some of the messages from Tony Barnes, you know, we
6 have had progressions over the past five years in both the leadership potential
7 program and also the SES program, but it's not there yet fully. We have a lot of -
8 - a long way to go. Some of the things that I think help, and this agency does
9 more of it than I've ever seen anywhere else or heard of in other agencies, is the
10 mentorship program, and that helps with the sustainability. It helps with the --
11 when you don't want to talk to your boss about something you have somebody
12 else to talk to, and it really helps open the minds and helps encourage further
13 development, whether it be a female, a minority, or any staff member. I think
14 that's a real kudo to this agency, and I know it more recently transitioned over to
15 OCHCO and I think they're making it even better than it has been in the past.
16 But -- so it's sustainability, because we have to maintain, you know, the
17 workforce that we currently have, and thankfully we have as a result of even
18 going down over all agency workforce numbers. So, we're going to have to
19 continue to work on it in that way, but the federal women's program has been
20 doing a marvelous job with all the different venues that they sponsor. All the
21 committees have been doing similar types of things, workshops to help with
22 performance appraisal -- understanding performance appraisals or writing your
23 applications for new jobs. Many of us are doing that in many ways. There's
24 many folks around this room that are multi-mentors. They mentor many folks
25 and it's good to see. And I would just also like to note that I recently had a car

1 full of children, as I often do, and one of the -- "How was your day?" Those types
2 of conversations. They -- I was so thrilled to hear that this fourth grader who is a
3 friend of my daughter's said that they learned about STEM today. They're talking
4 about STEM. They're doing STEM projects. So it is getting out there in the
5 schools, not just from the NRC, but from our colleagues in the federal
6 government, from the school system themselves. So it is good to see that there's
7 early thinking about it and they sure get it from me any time I can provide it, too.

8 CHAIRMAN MACFARLANE: Good. If they can just abandon spiral
9 math we'll be all good.

10 VONNA ORDAZ: They don't like homework.

11 [laughter]

12 CHAIRMAN MACFARLANE: I think mentorship is important, but I
13 would encourage you all, especially those of you in leadership positions, to think
14 about what road blocks exist to, you know, seeing more women and minorities in
15 SES and leadership positions, because I actually believe they exist. And they go
16 beyond, you know, physical road blocks. I think there are mental road blocks,
17 and there is a large literature out there that you can -- I can direct you to the
18 shelves of my office to try to understand some of this and work through some of
19 this.

20 Okay, Eric. You're not getting away with no questions. So I found
21 your presentation very interesting and very important, and I agree with all of it.
22 What I want to try to understand is how you might measure success in achieving
23 diversity of thought. I don't know if you've thought of this at all at NRR, and
24 whether you -- whether and how you get the feedback you need to understand
25 whether this is working, whether people are really listening and incorporating

1 what they heard and actually allowing these other viewpoints to filter up.

2 ERIC LEEDS: Well, thank you for the question, Chairman, a nice
3 broad question, a very difficult question, and I thought about it a lot. I'm an
4 engineer. I like data. I like to be able to think this through. I'm not a social
5 scientist. I'm not a psychologist, and so this is a soft area that's very difficult for
6 me; so I'm trying to look at the data that I can get and try to ascertain how
7 successful are we in allowing people to feel comfortable and safe and raise
8 issues. Very, very important topic. Things like the OIG safety culture and
9 climate survey and the federal employee viewpoint survey are very, very
10 important. It provides some of the raw data. It doesn't give me quite the comfort
11 level I'm looking for as an engineer or scientist would, but it does tell me a
12 number of things. In this last OIG safety culture and climate survey -- and I
13 mentioned one of the statistics was over 95 percent of the staff are very familiar
14 with the open door policy, non-concurrence, DPO policy. Terrific. Some other
15 good news is, and it's trending up, is that about 75 percent, about three-quarters
16 of the staff in NRR have said that they would use a DPO process. I think that's
17 positive. The glass is also half empty. I still have 25 percent of my folks that, for
18 some reason, are hesitant or wouldn't use the DPO process. So it tells me I have
19 more work to do.

20 And another finding out of the survey, which I found interesting,
21 was about 50 percent of our staff have heard in the past of something negative
22 associated with DPOs. So that gives us pause. We have more work to do.
23 What -- some other positive information? Certainly I don't think this agency
24 would be nearly as highly rated as it is if our folks didn't feel valued and that their
25 opinions were sought and valued. And since we are traditionally rated so high as

1 an agency, I feel that the staff is very engaged and they do feel like they've been
2 listened to and they have been heard.

3 I'll give you some specific data that I went after. I've been director
4 of NRR for four-and-a-half years now. Over that time period NRR's process has
5 completed over 6,600 actions, licensing actions, whatever types of reviews,
6 6,600 actions, license renewals, EPU's, extended power uprates, NFPA 805
7 reviews, whatever. A lot of work has been done by this group. Over that time
8 period we've had about 10 non-concurrence -- no, I'm sorry, a dozen non-
9 concurrences, and we've just completed work -- completed the review of our
10 fourth differing professional opinion. So what does that tell me? Well, I'm trying
11 to make sense of that data, but it tells me that we get a lot of work done and I do
12 get some use of the -- some folks using the non-concurrence and DPO
13 processes. That's positive. I know for the -- out of the four DPO's, one of them
14 had us actually reverse our position. We ended up, after going through the
15 process, decided the DPO submitters were correct. Very valuable. We need to
16 broadcast that.

17 I'm not so Pollyannaish to think that I'm getting all of the issues that
18 are being worked through. I have some comfort that folks are using the process,
19 that the process is there. It's being used. It's valuable, but I don't know if
20 everyone believes in it yet. So it certainly tells me we have a lot more work to do,
21 certainly going to complete -- continue to emphasize those points that I've made
22 to you about creating the environment, listening, making sure our people know
23 that they're heard, explaining our decisions. I think that's all very positive.

24 So you asked me a broad question. I've given you a lot of data and
25 a lot of thinking about it, but like I said, I'm not a social scientist. I don't know

1 exactly how the staff feels.

2 CHAIRMAN MACFARLANE: Right. No, and I think this is -- it's --
3 you're never going to have the engineer -- an answer that would satisfy
4 completely an engineer to these questions. They are, you know, to some
5 degree, vague. But I think there is a direct link between what you're trying to do
6 and the first question I asked, which is trying to see more women and minorities
7 in leadership positions and senior management, and I think that comes to how
8 people value diverse thinking. So, there is a link there. We'll see.

9 ANTHONY BARNES: If I might follow up. I apologize for missing
10 this bullet in my presentation, but I think that one of those measures is that
11 people who don't feel appreciated, respected, and valued and are doing valued
12 work, they vote with their feet, and so our nonretirement attrition continues to be
13 low at every demographic state. I mean, 3 percent African Americans, 1.1
14 percent Asian, et cetera, et cetera. The numbers are extremely low, and so I
15 think that that's also a way of measuring how successful our inclusiveness, our
16 feeling of appreciation regardless of race, gender, et cetera, as a demographic in
17 this agency.

18 CHAIRMAN MACFARLANE: Thank you. Okay, so now I think
19 we're done with our questions. I'm going to invite Sheryl Burrows, who's the
20 chapter president of the NTEU, to come down and make some remarks.

21 SHERYL BURROWS: Good morning, Chairman Macfarlane, and
22 Commissioners. I'm Sheryl Burrows. I'm president of our local chapter of NTEU
23 and in attendance with me are three members of my executive board and two of
24 them are active members of the committees represented here. So, I'd like to --
25 Walter Lange is with me. He is my executive vice president. Pamela Longmire

1 and Elaine Keegan are members of the EEO committees represented here, so
2 I'm proud -- and I have another vice president, John Budzynski.

3 Okay, on behalf of NTEU I appreciate this opportunity to make
4 comments. We're actually very encouraged and impressed by the initiatives of
5 the various advisory committees, as well as the EEO counselors. We thank them
6 for inviting us to many of their meetings, as well as their activities and events.
7 Our representatives, including myself, attended the no-fear presentation in July.
8 We were really pleased to see attendees from the highest levels of the agency,
9 including Commissioner Magwood, there.

10 As I've said, we're impressed by the mission and activities of the
11 EEO counselors and advisory committees. Each advisory committee has their
12 own unique role focused on their specific mission and their charter. But NTEU
13 has bargaining unit employees that represent all of the committees. NTEU is
14 working hard to re-establish effective partnerships with the committees, because
15 their concerns are indeed our concerns as we represent all of them. We
16 welcome more of the members of these committees to become more involved
17 with NTEU as we have mechanisms to more directly address their issues. I
18 wouldn't be a good chapter president if I didn't just quote one thing from our
19 collective bargaining agreement and note that as the exclusive representative of
20 employees, NTEU is authorized to negotiate with management on personnel
21 policies and practices and other conditions of employment. We would love to
22 have members of the committees work with us and be able to do this.

23 NTEU is excited about the ongoing federal employee viewpoint and
24 safety culture working groups, as well as the new behavior manager initiative,
25 and, again, we would like to thank the agency for including us early in these

1 processes. All change initiatives benefit from early and ongoing stakeholder
2 involvement. We do recommend, though, that some accountability measures be
3 applied, because simply raising consciousness is really -- is only a beginning.

4 NTEU is understandably concerned, though, about the increase in
5 EEO complaints, because we believe that for every formal complaint there are
6 many more instances where employees do not raise their concerns through a
7 formal process for a variety of reasons, but including fear of retaliation. NTEU
8 continues to be concerned about the NRC's processes to raise differing views, as
9 well as what we perceive as gaps in the open collaborative work environment.
10 Each year employees must complete the mandatory no-fear training, and yet, as
11 Eric Leeds did note, while the safety culture shows that most employees are
12 aware of the programs, there are far too many employees who are not
13 comfortable raising issues. NTEU advises our bargaining unit members that they
14 will not necessarily get what they want in every case, but their concerns should
15 be heard and considered and decisions should be explained to them.

16 And performance management. Performance management has
17 been mentioned by several people during this presentation. In the six months
18 that I have been president of NTEU, the most common thing that I've heard, the
19 thing that I've heard most frequently is "My first line supervisor does not give me
20 specific --" and even from very high performers, "I do not get enough specific
21 detailed, you know, frequent feedback." That has been the biggest thing I've
22 heard in these six months. The second most common thing I've heard is what
23 appears to be arbitrary decisions by upper management. Again, I think it really
24 has to do with communication, because the decisions might not be arbitrary, but
25 if the manager doesn't explain why to the employee it appears arbitrary. So it

1 really comes down to communication.

2 And, in conclusion, I think I've said this before, I have to give credit
3 to Region III vice president for being the first one to say it, but it seems like a
4 good note to close on. It has never been us against them. It's not labor versus
5 management. NTEU is not anti-management. In fact, I've had some amazing
6 managers at the NRC. We're simply against bad management. At the end of the
7 day we're all on the same team and NTEU is committed to working tirelessly for
8 our talented diverse employees to ensure that every federal employee is treated
9 with dignity and respect.

10 Thank you so much for your time and attention.

11 CHAIRMAN MACFARLANE: Thank you, Sheryl. Okay. We now
12 come to the close of our meeting. I would like, again, to thank all the presenters
13 for their presentations. I think you've provided a great overview of the programs.
14 I am very impressed with the NRC as a diverse workplace. It's a contrast to
15 everywhere else I've worked. It's fantastic. At the same time, there's always
16 work to do and we always have to keep our eye on the prize and move forward.
17 So, with that, we are adjourned.

18 [whereupon, the proceedings were concluded]