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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

PUBLIC MEETING

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THURSDAY

DECEMBER 18, 2014

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ROCKVILLE, MARYLAND

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The Briefing commenced at the Nuclear Regulatory Commission, One White Flint North, First Floor, Commissioners= Conference Room, 11555 Rockville Pike, at 9:30 a.m., Allison M. Macfarlane, Chairman, presiding.

NRC COMMISSIONERS:

ALLISON M. MACFARLANE, Chairman

KRISTINE L. SVINICKI, Commissioner

WILLIAM C. OSTENDORFF, Commissioner

JEFF BARAN, Commissioner

STEPHEN G. BURNS, Commissioner

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NRC STAFF:

**MARK SARTORIUS, Executive Director for
Operations**

**JAMES CORBETT, Acting Director, Office of
Small Business and Civil Rights**

**ANTHONY BARNES, Affirmative Employment and
Diversity Management Program Manager,
Office of Small Business and Civil Rights**

**ANTHONY BRIGGS, Small Business Program
Manager, Office of Small Business and
Civil Rights**

SCOTT LANGAN, Office of Investigations

**CYNTHIA PEDERSON, Regional Administrator,
Region III**

**CAROLYN M. FARIA, Chair, Hispanic Employment
Program Advisory Committee**

MARIA SCHWARTZ, National Treasury Employees Union

P R O C E E D I N G S

9:32 a.m.

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3 CHAIRMAN MACFARLANE: Good morning. It's
4 nice to see a big crowd again, as expected. I guess I've presided
5 probably over about half a dozen of these EEO SBCR meetings, and
6 there's always a big crowd, and I think that really reflects the values that
7 we have here at the agency and the importance we place in diversity
8 and ensuring that we have a diverse culture here. So I think that really
9 reflects well on the agency.

10 So we look forward today to the semi-annual update on
11 progress, challenges, opportunities related to equal employment
12 opportunity and civil rights outreach programs here at the NRC. So
13 we're going to hear from the Office of Small Business and Civil Rights,
14 the Office of Investigations, Region III, as well as representatives from
15 the EEO advisory committees and the union.

16 First, let me see if any of my fellow commissioners
17 would like to say anything. Okay, go ahead.

18 COMMISSIONER SVINICKI: Chairman, yes. Of
19 course, we look forward to getting to today's topic, but I'm going to
20 suggest that the room is full in equal measure to acknowledge and to
21 give you a warm spirit of wishing you well as you wind down your time
22 here at the Commission. I believe that this will be, although we may
23 have some housekeeping business for the remainder of the month, this
24 will be, I think, your last significant public meeting. So I want to join
25 with all of, I'm sure, the warm wishes in the room wishing you well as
26 you wind down your tenure here. Thank you for all you've done.

1 COMMISSIONER OSTENDORFF: Chairman, I'd like
2 to add my well wishes to that of Commissioner Svinicki. I think that this
3 agency has really benefitted from your leadership and service. I think
4 it's also fitting that the subject matter of this particular meeting, which is
5 very important that this is your last meeting you're presiding over in the
6 context of these very critical issues to the agency. So thank you.

7 CHAIRMAN MACFARLANE: Thank you. Well,
8 thank you all. I know I will jump to my conclusions here and say let me
9 thank my colleagues here for their collaboration, our lively discussions
10 that we have at this table, and their insight and their friendship. It's
11 been greatly appreciated over the past two and a half years. And I
12 also want to thank all of you for all of your hard work, all your dedication
13 to the mission of the agency. You're a really impressive, tremendous
14 group of people, and it's been a real honor and pleasure to work with
15 you for the past two and a half years. So thank you.

16 So we will turn things over to our EDO, Mark Sartorius.

17 MR. SARTORIUS: Thank you, Chairman, and good
18 morning. Good morning, Commissioners. The purpose of today's
19 briefing is to provide a status report on and highlight accomplishments
20 of the agency through the Office of Small Business and Civil Rights.
21 The specific programs that will be presented today are small business,
22 affirmative employment, and diversity management.

23 The programs of the Office of Small Business and Civil
24 Rights, or SBCR, provide leadership for the agency's effort to carry out
25 the obligation under various civil rights and small business statutes.
26 SBCR has done a great job of meeting these requirements, as well as

1 developing and sharing opportunities to recruit, develop, and retain a
2 diverse workforce.

3 The reality is that this briefing only represents a small
4 amount of information and insights into what is being done and what
5 can be done. And at this table are only a few of the folks whose efforts
6 directly contribute to improvements in our organizational culture and the
7 overall mission of the agency.

8 I would like to take this opportunity to thank our
9 advisory committee members, equal employment opportunity
10 counselors, and, of course, the staff of SBCR for all their dedication and
11 hard work in advancing issues that are sometimes difficult to talk about
12 but are necessary and worthwhile as the agency continues to progress.

13 So now I would ask that members and representatives
14 of all the groups that I just mentioned, if they would please stand to be
15 recognized. Again, thank you for your service.

16 I would be remiss if I didn't take the opportunity
17 personally and on behalf of SBCR and those of us who were just
18 standing to thank you, Chairman, during this, your last NRC EEO
19 briefing for all of the attention and support on issues of diversity, civil
20 rights, and small business that you and your colleagues have been
21 involved with over the last several years.

22 I'll now turn the presentation over to James Corbett,
23 acting director, Office of Small Business and Civil Rights, who will
24 introduce our program participants and begin the briefing. James?

25 MR. CORBETT: Thank you, Mark. Good morning,
26 Chairman, Commissioners. It's a pleasure to brief you today on the

1 status of the equal employment opportunity, diversity, and small
2 business programs. Next slide, please, slide three.

3 The presenters today will share some insights and
4 observations on all the efforts that we have underway to advance
5 diversity and inclusion at the NRC for staff, for small businesses, and
6 through some of our programs for other participants in the agency
7 activities.

8 Advancing the field is our theme for this year. The
9 staff chose that to convey the overarching goals and the progress that
10 we're making toward moving things forward. The panel today will
11 share some insights in small business, affirmative employment, and
12 diversity management. Also, we'll hear from the Office of
13 Investigations and Region III, and then we'll have the statement of our
14 joint committees for the EEO committees.

15 I want to introduce real quickly the panel. We have
16 Anthony Briggs, the small business program manager; Anthony
17 Barnes, the program manager for affirmative employment and diversity
18 management. We have Scott Langan representing the Office of
19 Investigations as their deputy director; Cindy Pederson, the regional
20 administrator from Region III. Caroline Faria. She is representing the
21 diversity management advisory committees. She's representing the
22 heads of all of the diversity committees, and she's also co-chair of the
23 Hispanic Program Advisory Committee.

24 I also want to note that I have in the well Jennifer
25 Golder. She is the associate director for Human Resource Operations
26 and Policy, and she's also a member of our Diversity Management and

1 Inclusion Committee. This committee I want to thank, as well. It's
2 representatives from across the agency that help advise us on our
3 diversity management inclusion practices. And also my lifeline of
4 Vonna Ordaz, the director of the Small Business and Civil Rights Office,
5 is also with us today. Again, thank you for this opportunity.

6 Next slide, please. It's been my pleasure to serve as
7 acting director of SBCR for the last ten weeks. When I got to the office
8 of SBCR, I realized that this theme of advancing the field really
9 resonated with me. I was in SBCR in 2005 during my SES CDP, the
10 Candidate Development Program, and a lot of things have changed
11 since 2005 to 2014. The age distribution in the agency has skewed
12 much less from the more mature. Today, we've brought in a lot, I see a
13 lot of younger faces.

14 In 2005, we put out the first comprehensive diversity
15 management plan. That was a big step back in those days. It was
16 the first year we did the No Fear Act training. I literally had the
17 opportunity to sit at a computer and create the first training class. So
18 those were some of the things in 2005 when I was in SBCR.

19 From my perspective, I want to note, though, two
20 particular things that have changed a good bit since then. Our view of
21 diversity in those days was very much centered around traditional sex,
22 race, gender, those type of things. We have certainly come a long way
23 in being much more toward diversity and inclusion because if you have
24 diversity without being inclusive, you don't get the results that you're
25 after. Tony Barnes is going to talk much more about what we're doing
26 with diversity and inclusion in his remarks.

1 Second, on a much more personal note, there were
2 lesbian and gay employees in the agency in 2005 that really weren't
3 sure the agency was sufficiently inclusive for them to work here, quite
4 frankly. With strong advocacy and dedicated leadership over those
5 years, we were able this past year to see the establishment of the
6 Advisory Committee on Lesbian, Gay, Bisexual, and Transgender
7 Employees. That's a big step. I and others see this as a clear
8 message that we, all of us, can bring our full selves to the agency and
9 bring that in support of the mission. So I think that's a big change from
10 2005.

11 This, of course, could not be possible without a lot of
12 collaboration, a lot of partnership. And I'm very proud of the agency
13 and its leadership for moving the ball forward, for advancing the field in
14 that particular area. So each year, little by little, step by step by step,
15 each of the programs championed by SBCR advance the field.

16 Now I'd like to take a few moments to discuss some of
17 the programs that we're not briefing on today, just give you some
18 high-level points on those. Next slide, please.

19 I'm going to talk real briefly about the Equal
20 Employment Opportunity Program and some of those areas and touch
21 on the complaint trends and some other parts of that program. Next
22 slide.

23 As far as complaints during FY14, we have no backlog
24 of complaints that are not being processed in a timely fashion. In
25 FY14, we had 26 informal and 17 formal complaints filed. This is a
26 slight increase from FY13, but it's still lower than FY12 and FY11 when

1 the cases were higher.

2 An important note I would make is it's a very small
3 number of complaints that we're talking about, in general, for the
4 agency. Less than one percent of the workforce has filed EEO
5 complaints. And I know, as you look through the book, some of those
6 trends, it's hard to discern whether they have any significance or not
7 because the pool is so small. So we'll talk more about that if you have
8 questions.

9 SBCR has worked collaboratively with the
10 complainants and the offices very well over the past year to try and
11 settle most of these cases, a good number of them, so we don't have to
12 go to a final agency decision or a hearing. So there's good news in
13 those areas.

14 Next slide, please. As far as the basis, the issues that
15 were presented, the most frequent are non-sexual harassment and
16 performance evaluations. These were, though, consistent with the
17 prior years. We weren't seeing a difference in those two categories.
18 At nine complaints, we have seen a slight increase in assignment of
19 duties coming to us as an issue cited in the complaints. Again, with the
20 low number, it's hard to discern any trend, any particular driver for
21 these.

22 Next slide, please. The smiley faces you see here are
23 EEO counselors and attending the -- in September, we had an EEO
24 counselor training conference at headquarters for all of those folks.
25 We had nine new EEO counselors we brought on board, which will
26 bring our total to 25. I do want to take a moment to thank all the offices

1 and those for the time that they allow those counselors to serve in the
2 collateral duty positions.

3 As far as the Alternative Dispute Resolution Program,
4 we offer that in 100 percent of the complaints that we received. The
5 Equal Employment Opportunity Commission would like agencies to
6 achieve a 50-percent participation rate. We're at 40 percent, so we're
7 doing really well at moving toward that 50 percent rate. We did hold
8 several information sessions with staff in the exhibit area and other
9 venues to try and increase the awareness of that program, and we
10 continue to use it wherever possible.

11 As far as compliance with the No Fear Act, we trained
12 99 percent of the agency employees by the 2/28/14 deadline, so we did
13 meet that goal. We issued the No Fear Act Report to Congress in a
14 timely fashion, and we also are posting, as required, complaint statistics
15 on a quarterly basis on the website to increase that transparency.

16 Next slide, please. In the area of outreach and
17 compliance, our Outreach and Compliance Coordination Program has
18 been working very diligently over this past year to increase or
19 strengthen the programmatic infrastructure under which they operate.
20 Great progress has been made to a get a management directive out
21 that covers all the programs for that area, Management Directive
22 10.164, and as well as a complaint manual for Title V1.

23 The MD and Handbook documents the responsibilities
24 over about 18 subprogram areas, including areas such as the Limited
25 English Proficiency and Disability Programs.

26 I want to express my appreciation for all of our partners

1 in this area. OCCP staff has worked very much with partners across
2 the agency and even external. The Office of Chief Human Capital
3 Officer we've worked with on their Education Grants Program, the
4 Office of Information Services to make disability access issues to allow
5 the public to better access some of our activities and services, the
6 Office of Administration to get the MD moving -- there's quite a bit of
7 work that goes into those MDs, as I'm sure you're all aware -- the Office
8 of General Counsel and the Department of Justice to refine our Title VI
9 complaints process. And we're also very active in two White House
10 initiatives, the initiatives for the Native Americans and the initiatives for
11 the Hispanic-Serving Institutions. So we've been very active in those
12 two areas.

13 Now we'll turn the presentation over to Anthony Briggs,
14 who will discuss the small business participation efforts.

15 MR. BRIGGS: Thank you, James. And good
16 morning, Chairman and Commissioners. I would like to begin with a
17 brief statement on the role that the Small Business Program plays in
18 supporting diversity at the agency.

19 The Small Business Program focuses on compliance
20 with small business laws and provides capable sources to ensure that
21 the agency continues to benefit from an innovative and diverse supplier
22 base, which fosters business development and is vital to the economic
23 recovery of the nation.

24 Next slide, please. If you take a look at this slide, you
25 can actually see examples of collaboration in action and you can also
26 see that the small business program continued to promote

1 interdependency and collaboration among both its internal and external
2 partners to advance the field in small business contract performance.

3 Internal partners include the Acquisition Management
4 Division, also known as AMD; the Office of General Counsel; the
5 Strategic Sourcing Group; portfolio council members; and agency and
6 contracting officer representatives. External partners include
7 Congress; SBA, also known as the Small Business Administration;
8 federal agency small business offices; chambers of commerce; and
9 business organizations.

10 The results of collaboration have been significant, and
11 I will highlight two areas where the agency has advanced the field in
12 small business contract performance, and that has been for
13 service-disabled veterans and women.

14 With respect to service-disabled veterans, we
15 collaborated with internal partners, the Department of Veterans Affairs,
16 and veteran business networks to educate the veteran community on
17 how to identify and respond to NRC opportunities. For women-owned
18 small businesses, we collaborated again with our internal partners,
19 SBA, and the Women Impacting Public Policy organization on
20 numerous outreach events that were designed to enhance and promote
21 business development among women entrepreneurs interested in
22 conducting business with the agency.

23 Next slide, please. So what was the result? The
24 result was that the agency awarded the largest amount of contract
25 dollars to date to service-disabled veterans and women in fiscal year
26 '13, and we maintained that level of performance in fiscal year '14 in

1 figures that have yet to be certified and accepted by SBA.

2 If you look at the graph, you can see that in only three
3 years the agency went from awarding \$6.3 to \$11.3 million to
4 service-disabled veterans. And we went from awarding \$15.3 to \$25.6
5 million to women, more than doubling the agency's contracting goal for
6 women-owned small businesses.

7 I also want to state that there has been return on
8 investment from our own NRC small business event towards increasing
9 contract awards to women, one example being a woman-owned small
10 business attendee that has been awarded two engineering-related
11 contracts since attending our event, representing her first and second
12 contract at the agency.

13 Next slide, please. The fiscal year '13 SBA scorecard
14 was published this year, and I'm happy to report that the agency
15 maintained its SBA scorecard letter grade of "A," exceeding four out of
16 five of our small business prime contract goals. The SBA scorecard
17 evaluates the agency on its small business contract goal performance,
18 compliance activities, support of federal business development
19 initiatives, and outreach activities.

20 The only small business goal that was not achieved
21 was that for companies located in historically underutilized business
22 zones, commonly referred to as HUBZones. However, the NRC
23 shared its difficulty in meeting this goal with a majority of other federal
24 agencies, as it's becoming increasingly difficult to identify HUBZones as
25 the qualified pool of candidates continues to diminish with nearly
26 one-third of HUBZones revitalizing their community and exiting the

1 HUBZone classification in the past three years, which is a good thing
2 when you think about it as the program is obviously working.

3 A primary example of this is downtown Silver Spring,
4 which used to be considered a HUBZone but has since been
5 economically revitalized through business development that originally
6 began by targeting federal contract dollars to businesses located in that
7 area.

8 Next slide, please. The fiscal year '14 scorecard has
9 not been published as of yet, but current data reports that the agency
10 continued to exceed four out of five of its small business prime contract
11 goals, missing the HUBZone goal by less than one-half of a percent.
12 While the agency did not meet its HUBZone goal, it should be noted
13 that not only did we maintain performance in a year where most
14 agencies declined but we actually slightly increased performance when
15 compared to last year. And we did it through the increase of direct
16 awards to companies located in a HUBZone, an example being a
17 \$900,000 contract for records management support for OIS, the Office
18 of Information Services.

19 I will conclude with the fiscal year '15 small business
20 goals and our plan of action to achieve the HUBZone goal, which is the
21 one goal we struggled to meet. We have new goals for fiscal year '15,
22 and the Small Business Program worked with the Acquisition
23 Management Division's data team to successfully obtain a small
24 business prime contract goal of 29 percent from SBA. And we also
25 received a small business subcontracting goal of 45 percent.

26 Now, the plan of action to achieve the HUBZone goal is

1 to continue identifying HUBZones for direct award opportunities,
2 increase HUBZone outreach participation and education of the
3 HUBZone marketplace on how to identify and respond to NRC
4 opportunities. We're also thinking about possibly showing on-site
5 awards to HUBZones at our next NRC small business event, which will
6 continue to include congressional participation. And we'll also add a
7 new feature that will facilitate small business subcontracting
8 opportunities with large business agency prime contractors. And then
9 we're also thinking about considering creating a HUBZone task force
10 dedicated towards achieving performance.

11 That concludes my presentation. I now turn it over to
12 Anthony Barnes, program manager for Affirmative Employment and
13 Diversity Management. Thank you.

14 MR. BARNES: Thank you, Tony. Good morning,
15 Chairman Macfarlane and Commissioners. I especially welcome our
16 two new commissioners. This will be your first Affirmative
17 Employment and Diversity Management briefing, and I'm happy to say
18 that I've seen both of you in your short time onboard at events that
19 we've taken place so far. And so thank you for your participation in
20 that early stage.

21 So why is it so important to advance the field in
22 diversity and inclusion and inclusion management? Well, I'm
23 reminded of a quote by Albert Einstein: "why is innovative thought so
24 important? Because you can't solve the future problems with the same
25 thinking that created them in the first place". We have to include and
26 always increase the diversity of thought that exists if we're going to

1 continue to innovate in our thinking.

2 So the first slide, please. So this is how our process
3 has progressed. We wrote our Comprehensive Diversity Management
4 Plan in 2005, and we're on revision number five. That's a 2010
5 document. So it is under revision, as we agreed that every three to five
6 years we would refresh the document. And there are some new
7 thoughts that belong in there.

8 Then we progressed to the Diversity and Inclusion
9 Strategic Plan, which was written as a result of the President's
10 Executive Order 13583. The D&I Strategic Plan was released in
11 March of 2012.

12 What's generated the creation of our Diversity and
13 Inclusion Council because that was the only part of OPM's guidance
14 that we did not meet at the time it was launched. It was a very simple
15 process for us to write our D&I Strategic Plan because 95 percent of it
16 was already being done in this agency before it was released.

17 And I point out that the next step was recently released
18 in 2014 NRC Strategic Plan, which includes the language that very
19 much complements it and is consistent with the CDMP, and I quote,
20 "Management objective number one is to attract, develop, and maintain
21 a high-performing, diverse, engaged, and flexible workforce with the
22 skills needed to adapt to workload changes and effectively carry out the
23 NRC's mission now and in the future." Diversity and inclusion at this
24 agency is a strategic imperative to mission accomplishment, as stated
25 in our documents.

26 And, finally, the most recent 2014 initiative is the New

1 IQ, New Inclusion Quotient, which I'll talk in a little bit more detail here
2 shortly.

3 Next slide, please. So our Comprehensive Diversity
4 Management Plan is still a relevant program. It's a relevant document.
5 Let me give you some updates on the CDMP which establishes our
6 framework for our agency to focus on resources that promote
7 differences and ideas, innovation and growth. Non-discrimination and
8 the results of that encourage individuals to succeed as individuals upon
9 which we, as an agency, increase the organizational capacity of our
10 ability to perform our mission. The CDMP integrates diversity
11 inclusion management agency-wide. It's not small at all. It's
12 everyone in the agency.

13 And quarterly, offices report their activities that support
14 D&I initiatives to me, and I provide that information further up the chain.
15 We're talking about measurable results that result from activities done
16 in every office. Our current CDMP is still relevant.

17 Next slide, please. Well, no AEDM brief would be
18 complete without a little bit about workforce demographics. But let's
19 be clear. In the words of a well known and respected diversity
20 inclusion expert, Dr. Samuel Betances, diversity and inclusion is not
21 just about counting heads, it's about making those heads count. And
22 how we incorporate diversity and inclusion and get the best
23 performance out of our workforce is really the spirit of diversity and
24 inclusion management.

25 But our workforce, permanent workforce, in '14 is
26 practically the same size as it was in fiscal year '13, and it's 7.5 percent

1 smaller than it was in 2010. So we've downsized by 7.5 percent, but
2 the ratio of women and minorities to white males is virtually the same.
3 So we downsized without doing that at the expense of any of our
4 diverse groups. So the race and gender and the national origin
5 representation is either at or maybe, in some cases, just slightly above
6 its five-year average across all of the groups.

7 Hiring for minorities has exceeded departures for
8 minorities over that time period, but it hadn't affected a total percentage.
9 There's been a slight growth really in the number of permanent staff of
10 diverse groups.

11 2014 saw the greatest number of NSPDP hires, that
12 number being 35, since we hired 35 in 2010. Historically, NSPDP is an
13 important feeder program that has a positive impact on the hiring of
14 women and minorities that eventually go on to do great things.
15 Unfortunately, in 2014, we had the lowest percentage of Asian,
16 Hispanics, and Native Americans hired into the program, and we're
17 working with OCHCO to try and strategize to make that better.

18 The key to the agency D&I strategy is really the
19 agency-wide collaboration across every part of the agency, particularly
20 the now eight diversity and inclusion EEO advisory committees; the
21 DMIC itself, the Diversity Management Inclusion Council; and the active
22 support of everybody towards the Comprehensive Diversity
23 Management Plan.

24 And new this year, as you've been told, we have
25 established our first diversity advisory committee for lesbian, gay,
26 bisexual, and transgendered employees, a huge step for this agency.

1 And we're in the process of establishing an executive sponsorship
2 program where senior executive program individuals have volunteered
3 their time to help support and mentor each of the eight committees.
4 And a first of its kind in this agency is we have established the Veterans
5 Employee Advisory Group, as we're calling it the VEARG. The
6 VEARG will stand up, we have volunteers across all the services and
7 representatives, and we will begin that as the new year starts.

8 I'm really proud to announce as well that the winner of
9 the 2014 Miss Wheelchair Maryland is our own Ms. Kimberly Gaskins
10 from the Office of Nuclear Regulatory Research and a member of the
11 Advisory Committee for Employees with Disabilities. She will
12 represent the state of Maryland at the Miss Wheelchair America
13 pageant coming up soon.

14 Next slide, please. So why is it important? Once
15 again, if we do not intentionally, deliberately, and proactively include,
16 then we will unintentionally exclude. That's a pretty powerful
17 statement, and we have to understand and embrace exactly what that
18 means.

19 Next slide, please. So the New Inclusion Quotient, a
20 government-wide initiative generated by OPM that uses 20 questions
21 off the Federal Employment Viewpoint Survey. It measures the five
22 habits of inclusion: fairness, openness, cooperativeness,
23 supportiveness, and empowerment. In fairness: in the workplace,
24 arbitrary actions and personal and favoritism cannot exist. Openness:
25 an open work environment, creativity and innovation is rewarded.
26 Policies and programs promote diversity in the workplace in a

1 cooperative environment: managers promote communication among
2 and across the different workgroups. In a supportive environment,
3 leaders are supportive and that means that supervisors support the
4 need to balance work and life issues. And empowerment, the last
5 FOCSE habit, employees feel encouraged to come up with new and
6 better ways of doing things and are empowered to do so.

7 So I'm often asked by some leaders in the group what
8 can be done to return to those days where we were very high in FEVS
9 and we were very high in FOCSE? My answer is quite simple:
10 leadership 101. If we take one day, if we fail during one day to tell
11 somebody that works with us or somebody that works for us how much
12 we appreciate, value, and respect what they do for you, you're missing
13 opportunities to make an impact and make a difference. It can be just
14 that simple.

15 Next slide, please. Because we're smarter like this,
16 and this is really how we are designed as an agency where there aren't
17 any barriers that would keep us from intertwining conversation socially
18 and professionally amongst anyone in there, it's a positive, stable,
19 robust, high-performing system that's designed for good diversity and
20 inclusion.

21 Next slide, please. Because we are less smart like
22 this where we have created silos where people don't converse across
23 grades and ranks and offices. And next slide. We're even less smart
24 like this where we create differences of rank and structure and grade
25 and fail to communicate between SES and staff members, etcetera.
26 We have to do everything we can to avoid this kind of structure within

1 our agency.

2 Next slide. Because here's the definition of inclusive
3 intelligence: the intentional, deliberate, and proactive acts that increase
4 workgroup intelligence by making people feel that they belong and they
5 are uniquely valued for what they do for this agency. We have to
6 increase the inclusive intelligence at every opportunity, so that's how
7 we generated -- next slide, please -- the New IQ Quotient. And this is
8 how we have stacked up. I think trending is so important. This is how
9 we stack up compared to the rest of the federal government.

10 And so there's really two things that affect our inclusive
11 intelligence. External factors, things that we cannot control: we can't
12 control sequestration, we can't control budget, we can't control what
13 people outside the federal government say about the federal workforce.
14 But we can control the quality of light that's inside the lifelines, and
15 those are the kind of things that affect these numbers.

16 The 20 questions taken off the Federal Employment
17 Viewpoint Survey are averaged in those five groups to generate this
18 New IQ. So if I can have the last slide, please. This is what it looks
19 like when you plot it out. As you can see, despite a slightly declining
20 trend overall, we made our first positive move from '68 to '69 percent in
21 the FOCSE scores between '13 and '14.

22 So there's room to improve. We know we can
23 improve. We know the capability is there, and we must do so. It's
24 actually an imperative.

25 So this concludes my portion of the brief, and I'm
26 followed by Scott Langan, the deputy director of the Office of

1 Investigations.

2 MR. LANGAN: Thank you, Tony. On behalf of OI,
3 Madam Chairman and Commission, thank you for the opportunity to be
4 here today to speak on this important subject. As you know, the OI is
5 the nationwide investigative program for the agency. We're a small
6 office comprised of a cadre of federal agents and professional support
7 staff all dedicated to the investigative mission, as well as to inclusion
8 and diversity.

9 For the next three slides, I'm going to present to you
10 just a snapshot of where we're at, but I'm going to trend that against the
11 agency and then against OI's five-year average. So if we can go to the
12 next slide, please.

13 Here you see the demographic breakdown of our
14 composition. What you can know from this is that, in the
15 representative areas, Native American, African-American, and two or
16 more races were a slightly stronger representation right now than the
17 agency. Of note here is that in the group two or more races, that's our
18 growth area compared to our five-year average in OI.

19 If we can go to the next slide, please. So for our
20 gender composition, we're 35-percent female, 65-percent male. So if
21 you just take the female group, we're actually slightly lower than the
22 representation at the agency level, about four percent. When you
23 compare this to OI's five-year average, we're actually about four
24 percent higher than what we are in our five-year average.

25 If we can go to the next slide, please. This is a pretty
26 revealing slide for us. When you look at the numbers, they are pretty

1 representative of an expected distribution. When you compare these
2 numbers to our five-year average, however, what this shows is that
3 we're actually going, to James' point earlier, we actually have a younger
4 workforce in place right now, and that's because we have mandatory
5 retirement at age 57. And we felt the impact of that over the last about
6 three years, we've had about 56 percent of our street force, our field
7 personnel, have retired. So that's quite an impact, and I'll talk a little bit
8 about what we've done with that to overcome that challenge.

9 If we can go to the last slide, please. So I'm actually
10 going to take these points and mesh them together, so if you'll allow me
11 that opportunity. The greatest challenge that we have historically
12 faced in OI is the ability to expand our recruitment pool. We do a very
13 good job and have some top-notch best practices through a very vibrant
14 partnership with OCHCO and SBCR to bring in the best of the best.
15 We do that well. The problem we have is getting that expanded pool of
16 federal agents from traditional agencies to apply for our jobs.

17 Now, the obstacle that creates that challenge is the fact
18 that the agency doesn't have statutory authority, and we've talked to
19 some of you in the past about this. Most federal agents are not going
20 to take the risk of coming to an agency that doesn't have permanent
21 statutory authority or the protections that provides. They won't take
22 that risk. So that is a barrier that we've had to work to overcome.

23 I want to note here the historic leadership and support
24 that the Commission has provided currently and into the future that
25 we've seen in this area by including the draft statutory language and the
26 legislative proposals that have gone to the Hill. So we thank you for

1 that, not just from an officer safety standpoint but as a leader from an
2 inclusion and diversity standpoint. I want to get the widest range, the
3 deepest pool, that I can get access to. I want the hardest hiring
4 decision I can possibly have. And right now, while we do get the best
5 of the best, we recognize that there is even more out there that we want
6 to be able to have that opportunity to get.

7 So what are some best practices that we've been
8 doing? We have strengthened our relationship with SBCR and
9 OCHCO. We have a much more vibrant hiring process and also an
10 inclusion process, as well. We've centralized hiring. That has
11 allowed us to leverage our resources to leverage inclusion efforts,
12 which has yielded some very positive results, while at the same time
13 freeing up our field supervisors to focus on the mission. They still
14 participate in hiring, but it's not as burdensome on them as what it has
15 been historically.

16 Of course, all of our employees have taken the No Fear
17 Act training and completed it successfully. All of our supervisors are
18 fully up to speed and up to date with all of their EEO and diversity
19 training. We do proactive training through our partnership with SBCR
20 and Tony Barnes in particular. Thank you for that.

21 So we are taking the right steps internally, and we're
22 taking the right steps with reaching out to get the statutory authority.
23 So we're working that.

24 We are still doing outreach, however, to expand the
25 pool the best we can through organizations such as the National
26 Organization of Black Law Enforcement Executives, highly regarded in

1 the federal law enforcement community. Women in Federal Law
2 Enforcement, another highly-regarded organization. There are
3 several others, as well.

4 So we do outreach. We do look to expand the
5 envelope. But we recognize that's only going to take us so far. Every
6 federal agent doesn't belong to every association or organization, so we
7 need to do a broader reach and we're working toward that.

8 I want to highlight a fantastic training that was brought
9 in by Pam Baker recently in strong partnership with OCHCO, SBCR,
10 and members of the ERB. It's called the Loudest Duck. It's really
11 about moving beyond diversity, inclusion, and understanding people's
12 differences. That was fantastic training. I commend everybody for
13 bringing that to the agency. A special thank you to Pam.

14 That training was so effective in my mind that we have
15 taken a look at how we can bring that training, working with SBCR and
16 ultimately with OCHCO as well, into OI's leadership team and
17 incorporate it into not just our leadership now but the team of leaders to
18 come, as well. So that way, we are becoming more sophisticated and
19 mature in our leadership approach into the future.

20 So with that being said, that ends my portion of the
21 presentation. I'll turn it over to Region III Regional Administrator,
22 Cindy Pederson.

23 MS. PEDERSON: Good morning, Chairman,
24 Commissioners. It's a pleasure to be here today to represent Region
25 III leadership and staff and talk to you about the critical role diversity
26 plays in achieving our mission. If I could have the first slide, please.

1 To achieve our mission, we focus on three areas.
2 Certainly, first and foremost, is our focus on ensuring safety and
3 security. It's the core of what we do. Secondly, we are working to
4 enhance further our communications and our culture with both our
5 internal and our external stakeholders. And the third area is
6 developing staffing for the future. We can only accomplish the other
7 things if we do a good job with our staff and having a diverse staff sets
8 us up to be successful in the future.

9 Next slide, please. As noted, central to our being is
10 our focus on safety and security. It's our sole reason for being. And
11 the regions are in the front-line of assessing licensee performance and
12 acting to ensure the public remains safe. For the region, this includes
13 both oversight of nuclear power plants, as well as 1100 materials
14 facilities. And we can only do this if we have a high-performing staff
15 that's culturally and experientially diverse.

16 Next slide, please. We value diversity of thought and
17 what diverse people bring to contribute to the region because we
18 believe we make better decisions if we consider diverse views. An
19 example of both our open collaborative work environment, as well as
20 our knowledge management, is our morning events briefing where we
21 invite all of our staff, both technical and administrative, to talk about
22 events and also things that are happening in the media or other areas of
23 the region. It's an opportunity for us to exchange information and to
24 collaborate on moving forward.

25 Another example is our monthly operating plan review
26 meeting where our team considers our performance, including our

1 comprehensive diversity measures. Though I could go on, the last
2 example I'll use is our partnership committee that continues to address
3 issues based on our regional environment, as well as the creation of our
4 staffing plan.

5 Next slide, please. We also value diversities from our
6 stakeholders. We focus on strengthening our relationships, trust, and
7 credibility with the NRC by reaching the public, state and local
8 governments, Native American Tribes, and other interested parties. It,
9 in turn, enables us to consider diverse views when making decisions.

10 Additionally, Region III is getting the word out on
11 under-representation of women and certain minorities as we reach out
12 in STEM, science, technology, engineering, and math. We began our
13 Region III youth outreach activities in 2006, and since that time we've
14 touched thousands of students and influential adults, informing them of
15 the choices and benefits of pursuing and studying STEM. In the last
16 two years alone, we've reached nearly 5,000 people. Through our
17 initiatives, we are building both for ourselves and our nation a more
18 diverse workforce.

19 Next slide, please. And we certainly like to celebrate
20 our contributions and our differences. The Region III Diversity
21 Management Advisory Committee assists the region in creating and
22 supporting a positive work environment that enables the employees, all
23 of us, to use our diverse talents to achieve our mission. The DMAC
24 identifies potential diversity issues, assists Region III management in
25 meeting our objectives, and certainly improves camaraderie.

26 Our Special Emphasis Committee members oversee a

1 large number of events. There's many of them, and I'll just highlight a
2 few of them. Certainly a highlight is our Region III diversity day
3 celebration, which always includes a culturally-diverse potluck. I can
4 attest quite interesting and quite good. We also have things such as
5 Veterans Day celebrations, Black History Month quizzes and films,
6 federal women's program volunteering at a local food pantry,
7 Asian-Pacific American videos and luncheons, and we also are bringing
8 in a series of sign language courses to the region.

9 New and very important to us, we also have ongoing
10 activities in our cultural improvement effort and increased expanded
11 leadership focus. Prior to receiving the Federal Employee Viewpoint
12 Survey data, or FEVS data, we had already increased our engagement
13 with our expanded leadership team, identifying areas we thought we
14 could improve in. Then upon receipt of the FEVS data, we increased
15 our activities further, including a cultural improvement initiative that is
16 made up of volunteers, mostly staff, that are further looking at our
17 cultural and recommending improvements.

18 And also Employee Welfare and Recreation
19 Association sponsors a number of events that bring us closer together
20 as a region. Certainly, a highlight is the one we just experienced last
21 week with our holiday party.

22 Next slide, please. If you think back to the target side,
23 the outer ring is developing and staffing for the future. That means
24 recruiting, hiring, and retaining the right people with the right skills to
25 conduct our current mission, as well as our future mission. And I'd like
26 to spend a few minutes on this.

1 How are we doing? Well, I think we're doing rather
2 well. And I want first to look at hiring. Our recruitment of entry-level
3 staff through the Nuclear Safety Professional Development Program
4 has been extremely effective and has resulted in highly-qualified and
5 diverse candidates. Our focus in this area has helped us in improving
6 our demographics in our overall workforce diversity.

7 In FY13, 45 percent of our offers were made to women
8 and minorities and 45 percent to veterans. In FY14, 50 percent of our
9 offers were made to women and/or minorities and 29 percent to
10 veterans. This results in 25 percent of the Region III staff being
11 veterans and 48 percent of our staff being women and/or minorities.

12 We are also actively engaged in agency-level
13 recruiting. In FY14 alone, we participated in 15 agency events, which
14 is nearly 30 percent of the whole, including two at minority-serving
15 institutions (MSIs) and three minority organizations. We make a point
16 of sending diverse hiring managers as part of the team. We are proud
17 to have nine university champions, including two at minority-serving
18 institutions. Additionally, for the last several years, one of our branch
19 chiefs who's recently been promoted to our senior leadership team has
20 been involved in the reviews of the MSI grants, as well.

21 The workforce demographics within Region III are
22 changing. Region III has made much progress in promoting women
23 and/or minorities into supervisory and managerial positions. Since
24 2003, there's been an 85-percent increase in minorities and/or women
25 in supervisory management positions. In other words, in 2003, we
26 were at 27 percent of our supervisors being women and/or minorities

1 and today that is 50 percent. And I will also note that 60 percent of our
2 senior leadership team are either women or minorities.

3 Next slide, please. Training and development are not
4 only focused on our new employees but certainly all of our employees.
5 Our current focus includes what we call Koffee Moments (KM). Some
6 of the recent sessions we have held have been on free seals medical
7 use as a radioactive material and post-Fukushima orders.

8 Additionally, we see rotational assignments as a
9 significant way to develop our staff and also to be more creative and
10 more agile in getting our work done. Since FY10, Region III has had
11 149 Region III personnel do rotations, and we've had 24 people from
12 other offices rotating into Region III.

13 Last slide, please. In conclusion, it's been my
14 pleasure to share Region III's diversity progress with you. We
15 continue to focus on increasing our diversity, as it makes us a stronger
16 and more effective organization.

17 At this time, I'd like to turn it over to Ms. Faria.

18 MS. FARIA: Thank you, Cindy. Good morning,
19 Chairman, Commissioners, Mr. Sartorius, and NRC staff. It is an
20 honor to be here presenting a summary of the 2014 EEO advisory
21 committees' joint statement. And on behalf of the advisory
22 committees, let me thank each of you for your personal commitment to
23 supporting equal employment opportunity, diversity, and inclusion.

24 I'm here to speak as a designated representative of the
25 Diversity Management Advisory Committee (DMAC) for the agency's
26 eight EEO advisory committees. These are Advisory Committee for

1 African-Americans, Advisory Committee for Employees with Disability,
2 Asian-Pacific Americans Advisory Committee, Diversity Advisory
3 Committee on Ageism, Federal Women's Program Advisory
4 Committee, Hispanic Employment Program Advisory Committee
5 (HEPAC), Native American Advisory Committee, and the
6 newly-established Advisory Committee for Lesbians, Gays, Bisexuals,
7 and Transgender (AC LGBT) employees and their allies.

8 The committees work hard with the Office of Small
9 Business and Civil Rights and the Office of the Chief Human Capital
10 Officer and with the National Treasury Employees Union to increase the
11 cultural competencies necessary to promote EEO and diversity and
12 inclusion in the workplace. This collaborative effort has resulted in
13 continual progress towards meeting agency's goals and objectives so
14 that the NRC can be the employer of choice of a highly-qualified,
15 diverse, dedicated, and effective workforce.

16 We're an agency that continuously focuses on
17 improvement; and, therefore, we believe there are additional
18 opportunities for us to continue to cultivate an even more diverse and
19 inclusive workforce that is empowered to be successful and that the
20 contributions of everyone are equally recognized, appreciated, and
21 valued.

22 Consistent with fiscal year 2013, the fiscal year 2014
23 NRC demographic data shows that women and minorities make up the
24 majority of grades GG-13 and GG-14. However, they are the minority
25 in GG-15 grade level. A more diverse GG-15 grade level will better
26 serve the agency since this is the pool, the feeder pool, for future

1 leaders.

2 Overall, even though the number of permanent
3 positions in the agency remains the same from fiscal year 2013 to 2014,
4 the number of women and minorities increased slightly. An example of
5 this increased outreach has been the hiring of 13 Hispanics in fiscal
6 year 2014, making this year's hiring effort the largest of its kind for
7 Hispanics in the last four years.

8 In an attempt to summarize the written joint statement
9 located in the background binder, I'll focus on three areas: employee
10 development programs and career advancement, performance
11 appraisals, and recruitment. I am primarily referring to the three
12 agency premier programs: the Nuclear Safety Professional
13 Development Program (NSPDP), the Leadership Potential Program
14 (LPP), and the SES Candidate Development Program (SESCDP).
15 Paraphrasing a yellow announcement pertaining to the SESCO, but
16 it's relevant to all three programs, I'll say that while participation
17 programs such as the SESCO, LPP, or NSPDP is not a prerequisite
18 for and does not guarantee entry into management or leadership
19 positions, they are the principal means by which the NRC ensures that
20 the agency has a sufficient pool of well qualified and diverse
21 candidates. This being the case, DMAC believes these programs
22 cannot and should not preclude those not in these programs from
23 developing leadership skills and remaining competitive for jobs of
24 increasing responsibility. Performance should be the overall factor
25 and not just attendance in these limited availability programs.

26 In fiscal year 2014, we also saw a modest increase in

1 the representation of women and minorities in the areas of hiring and
2 selection in the SESCO. DMAC commends our committees, SBCR,
3 OCHCO, as we partner up to plan and execute professional
4 development activities to assist with career development planning.
5 These developmental events empower employees to find new ways to
6 enhance their knowledge, expertise, and experience.

7 Still, further progress is needed in order for the agency
8 to reach its diversity goals in all levels within the agency. For instance,
9 Hispanics make up six percent of the agency staff but only represent
10 one percent of all SES positions. Despite the efforts previously
11 mentioned in both 2009 and 2015 SESCO classes, there were a
12 number of qualified Hispanic applicants, but none of these were chosen
13 in either year.

14 DMAC would like to better understand the competitive
15 selection process in order to assist staff in improving the skills needed
16 to better compete for these developmental programs. An example of
17 this would be a mandatory constructive feedback process so that the
18 non-selected individuals from the best qualified list can better prepare
19 themselves for their next application.

20 When we talk about performance appraisals, we
21 recognize that having a fair, unbiased, consistent, clear, and effective
22 performance appraisal is extremely important to all employees in the
23 agency. It's implementation must be fair and consistent throughout the
24 agency, regardless of which part of the organization you are in, your
25 grade, race, gender, age, or any other non-merit based factor. All
26 employees and supervisors must have the same understanding of the

1 process.

2 The results of these performance appraisals are a
3 common concern amongst our constituents since appraisals place such
4 an important role during the selection process for open positions and
5 because they are tied to job satisfaction, upward mobility, and self
6 esteem of the employees. The committees provide guidance to its
7 constituents throughout the year designed to increase awareness of the
8 performance appraisal process and training on how to maximize their
9 understanding of how valuable their input is to their own evaluation and
10 how to engage in meaningful conversations with their managers and
11 supervisors during the performance year.

12 In the area of recruitment, there has been a slight
13 increase for women hired into the NSPDP program and the student
14 employment program compared to previous years. However,
15 minorities, overall, are still under-represented in the professional
16 development programs. Out of the 35 new NSPDP hires for the
17 agency in fiscal year 2014, only six were self-identified minorities.
18 These overall low percentages in the NSPDP and student employment
19 program will likely contribute directly to the under-representation of
20 minorities in future leadership and management positions.

21 Finally, despite two presidential executive orders
22 giving agencies special hiring authority to hire more qualified people
23 with disabilities, the percentage of employees with disabilities remain at
24 a disappointingly low one percent for the past several years. The
25 advisory committees would like to work closer with OCHCO and SBCR
26 to analyze and better understand the selection process that supports

1 the hiring of minorities, particularly those with disabilities, and
2 collaborate to develop strategies to improve hiring practices.

3 We also encourage the agency to increase resources
4 necessary for outreach and utilize more targeted recruitment for
5 women, minorities, and persons with disabilities, including veterans.

6 In conclusion, I have presented some progress, as well
7 as some opportunities for improvement, to ensure that, as an agency,
8 we're meeting the three goals of the Comprehensive Management
9 Diversity Plan. There are always obstacles to be surpassed, and the
10 EEO committees are mostly comprised of non-supervisory employees,
11 such as myself, who work with SBCR's management for our
12 constituents' best interest. The quality of and not just the quantity of
13 time and effort invested by all levels of staff and management in
14 incorporating diversity and inclusion will determine how successful we
15 are as an agency to not just obtain but retain a highly-talented and
16 diverse workforce.

17 The advisory committees challenge themselves every
18 year to increase cultural awareness within the agency in an effort to
19 remind those in the agency that they are supported and to prompt those
20 with a selection authority to choose qualified staff members from a wide
21 varied world out there.

22 So we are here so that everyone's voices can be heard
23 and included in this ongoing conversation of diversity and inclusion.
24 We're all better this way, and the agency should never forget that.

25 This concludes my brief, and I will turn it back to Mr.
26 Sartorius. Thank you.

1 MR. SARTORIUS: Thank you, Carolyn. As you've
2 heard today, although there have been some challenges, there's also
3 been many great accomplishments in the last year or so. We continue
4 to make strides, advance issues, and do the work to create an agency
5 that values inclusion and diversity. I'm confident that this will ultimately
6 bring out the best in all of us.

7 This concludes our remarks, and we look forward to
8 any questions that you have.

9 CHAIRMAN MACFARLANE: Great. Thanks. We'll
10 start off with Commissioner Baran.

11 COMMISSIONER BARAN: Thank you. I usually just
12 jump right into questions, but I wanted to start this morning by
13 recognizing Vonna and James for your leadership. I haven't been here
14 very long, but I've heard nothing but praise for the work that you are
15 doing and the performance of your team. It's important work, and I just
16 want to publicly thank you and your team for the work you're doing.

17 As Tony mentioned, I had the opportunity last month to
18 attend the Native American Heritage Month luncheon, and I was really
19 impressed. It was a terrific event. It was really valuable I thought,
20 and I'm looking forward to attending future celebration events in the
21 coming year.

22 I also want to congratulate everyone who is involved in
23 the establishment of the advisory committee for LGBT employees, as
24 well as the work SBCR is doing to stand up the veterans employee
25 resource group. Those are really significant advances.

26 James or Tony -- I guess I'll do last name, Barnes,

1 since we have two Tonys right next to each other. Can you talk a little
2 bit about how SBCR engages these and the other advisory committees
3 to facilitate the diversity inclusion efforts that you've described?

4 MR. BARNES: Absolutely. And thank you for the
5 question. In a very small way, we support them budget-wise with
6 enough funds to decorate and make as festive as possible the
7 recognition luncheons or dinners that they have. But in a much more
8 meaningful way, either myself or a member of my team attends every
9 monthly meeting of every one of the committees to help them plan and
10 execute their plan, not the way I think they should go but the way they
11 want to go, and help them obtain the guest speakers they're looking for,
12 the messages they want to ensure, as well as we provide that
13 communications between you and your staffs and the committee so
14 that your availability and participation, if you're available to do so, is
15 communicated through the right protocols.

16 MR. SARTORIUS: If I could just add I get an
17 opportunity once a year to speak with the leadership of each one of the
18 advisory committees, and SBCR and Tony's team are especially
19 effective in getting that put together. And so it becomes a very good
20 exchange of information. It brings me up to date on what their
21 activities are and what their future look down the road is.

22 COMMISSIONER BARAN: At the event I attended, I
23 was really struck by the level of participation of senior management,
24 which I thought was really terrific. Carolyn, do you want to add
25 anything from your perspective on the interaction between the office
26 and the advisory committees and how that's working?

1 MS. FARIA: All I'll say is I think it's working. They're
2 the true example of what the open door policy you might want to say. I
3 have no problem going downstairs and talking to Tony, as well as any of
4 the SBCR staff members. And if I do need any other help or if any of
5 the committees want to or need to talk to OCHCO, for instance, we feel
6 free to do the same and we've done it. So I think there is the
7 appropriate communication paths, and it works.

8 COMMISSIONER BARAN: Great. That's good to
9 hear. Cindy, can you talk a little bit about how you and your
10 management team work with SBCR to facilitate your employees'
11 participation in the advisory committees and the other Headquarters,
12 you know, run diversity efforts?

13 MS. PEDERSON: Sure. It's a little more challenging
14 being out in the regions to have that kind of participation. When you're
15 tied in by telephone or by VTC, it's not the same as being in the room.
16 But our committee members do participate with their affiliated groups in
17 Headquarters, but it is in that remote way.

18 What I see a lot more of is, across the region, the
19 different groups working together. And I meet with our advisory
20 committee, which is a representation of all of the committees, every
21 quarter to talk with them about what's going on. So I see a nice
22 interchange among the groups in the region, but it's a little more
23 challenging to bridge that distance gap, but we do our best remotely.

24 COMMISSIONER BARAN: And, James, you
25 mentioned that, I think during your initial presentation, that there was a
26 small increase this past year in informal and formal EEO complaints. I

1 was hoping you could just expand a little bit on that, what you thought
2 the contributing factors were, whether there's -- I know that the numbers
3 are small enough that, you know, it's hard to detect any kind of trends or
4 anything. But I just want to give you an opportunity to talk a little about
5 that and whether you thought there was any significance to the slight
6 uptick we saw.

7 MR. CORBETT: Well, staff mines the data. We
8 spend a lot of time trying to turn it in all kinds of different ways. And
9 when we look at it, the offices, it's across the agency. There's not a
10 trend among certain offices. When we look at sex, gender, those
11 types of things, there's not a trend there as to the issues they're
12 bringing. So it appears to be just the process of operating we have a
13 certain number of complaints. One year or the other, if you look at the
14 past five years, it varies in a very small percentage. So even over
15 time, it's hard to say with 26 or 17 informal, those types of numbers,
16 trending is almost an impossibility. So it's very hard in that to find
17 things to advise OCHCO or the office directors or anyone to change
18 practices. It's much more some of the things Tony does and others to
19 ensure that folks are aware or thoughtful in their actions with staff, those
20 types of things. It contributes to the overall program versus particular
21 trends. That's what the data tells us.

22 COMMISSIONER BARAN: And from the data you
23 presented, it looks like NRC is doing well on diversity and inclusion
24 when compared to government-wide figures. What do you -- I've got
25 this question for you and anyone else. You know, what do you see as
26 the next steps for the agency in this area?

1 MR. BARNES: Well, what you have in your
2 background binder is the plotted FOCSE scores for the agency versus
3 the federal government. What I have is every individual office's plot of
4 their FOCSE scores in and amongst the agency itself. So my new
5 initiative is to take the New IQ FOCSE plots, and I have done a number
6 of offices already, four or five offices, since we began trending and sat
7 down with the leadership of each individual office and talked specifically
8 about their trending because this is only a tool. It takes the leadership
9 to understand and recognize what has caused an upward or downward
10 tick and then put into place the management initiatives it takes to return
11 in a positive direction.

12 So what I see in the future is trying to use these tools to
13 individually and tailor a conversation with each office leadership to try
14 and bring about the kind of change it takes to not just turn positive for a
15 short period of time but to continually grow it.

16 COMMISSIONER BARAN: Is there a lot of variability
17 in the scores among offices within the agency?

18 MR. BARNES: Yes, sir.

19 COMMISSIONER BARAN: Okay. That sounds like
20 that makes a lot of sense. Thank you. Thank you, Chairman.

21 CHAIRMAN MACFARLANE: Okay. Commissioner
22 Burns.

23 COMMISSIONER BURNS: I still got to learn how to
24 work these things. That's why I went into law school and not
25 engineering. Thanks for the presentation, and, obviously, I've heard it
26 over the years. A lot of these, it's interesting to come back and sort of

1 re-familiarize myself with it.

2 I have some sort of general questions. Actually, the
3 first thing I ask to Scott because I remember this issue, but if you can
4 tell me again this statutory status in terms of the investigators. I just
5 can't pull it out of my head right now and how that affects some of your
6 hiring.

7 MR. LANGAN: Right. So what happens right now,
8 because we don't have statutory authority as an agency --

9 COMMISSIONER BURNS: Which means? Help me
10 -- that's where I need help --

11 MR. LANGAN: Well, it offers a couple of things.
12 One, right now, we get special participation from the Marshals Service
13 to provide for us what we need to do our job. It's a tool and a level of
14 protection for our agents when they go out on the street pursuing the
15 mission, the investigative mission for the agency. So it's part of what
16 we use as a tool for enacting and employing certain, or can be used to
17 enact certain law enforcement techniques, as well as criminal
18 investigative activities.

19 We have that authority as granted by the U.S.
20 Marshals Service. Now, they're, like everyone else, pressed for
21 resources, so they're actually trying not to push agencies but
22 encourage agencies to go for statutory authority so that they can
23 reduce their resource load and agencies can be self-sustaining. And
24 so we're one of the few left that actually does not have statutory. And it
25 takes time. You know, you have to get it through Congress and stuff.

26 There's a benefit to doing it. From an agent

1 protection, liability, officer safety standpoint are pretty self evident.
2 The challenge that comes in the recruitment realm is that agents, if they
3 don't feel that an agency has the right statutory protection in place, it
4 just simply won't consider the agency. When there are so many other
5 agencies, virtually all the rest, quite frankly, including our own IG, that
6 have statutory. It's a protection that you have now, but you have it in
7 the future, as well, when you retire. And that's a different discussion.

8 So it is very important to have because you never know
9 when you walk into a situation and it goes sideways or it goes bad on
10 you. You just simply don't know, so you want to know you have that
11 level of protection as you execute the duties of your job.

12 So, typically, we've been very fortunate that, in the pool
13 that we've had, while we've been pleased with the pool, we recognize
14 that we really are just missing a great opportunity here we just can't
15 reach. It's been a historic challenge, but the Commission has taken a
16 leadership role in this and has included, like I said before, in the
17 legislative proposal, some draft language historically. And that's being
18 worked around for the current package that's in process now.

19 If you were to pulse our offices, you would hear very
20 quickly from our agents that that always sits in the back of their mind
21 because you have it today but maybe the Marshals Service will
22 withdraw it, not that they would readily do so but you always worry
23 about that.

24 COMMISSIONER BURNS: Okay. Thanks for that
25 refresher. That's helpful. One of the things I'm interested in
26 particularly because, you know, it's certainly a long term interest for me

1 in the legal office was entry-level recruiting through the honors program
2 there. And Cindy mentioned the NSPDP. What do you see on the
3 horizon in terms of the continued, you know, the strength of the
4 program or from the standpoint of the emphasis in terms of hiring?
5 And that can be Cindy or Mark or anyone actually.

6 MS. PEDERSON: Well, maybe I'll start. I think the
7 NSPDP program is a great asset for us. It really allows us to get out
8 and get some really good people. But the competition is really fierce
9 for these really, really talented young people, and we need to be, I think,
10 a little bit more responsive to the timing aspect of it so we can get out
11 and get ahead of other competing employers. And so I think that is an
12 area that we need to advance our work on a little bit, but it does give us
13 an opportunity. We specifically target schools that have large minority
14 or large female populations, so we do a dedicated effort to try to get to
15 the schools that have the broader diverse populations, but we're always
16 looking for the best. And it's been a quite successful program I think.

17 MS. GOLDER: Hi, I'm Jennifer Golder, associate
18 director of HR Operations and Policy. We run the NSPDP vacancy
19 and recruitment efforts, and I just wanted to pipe in and provide you
20 more information, as well, about the NSPDP program. We have a
21 vacancy that went out earlier this season, and it closed November 21st,
22 and we had over a thousand applications. We're in the process of
23 going through all the applications, and we'll have the resumes to the
24 offices in January for them to review.

25 We're also looking at modifying our recruitment
26 process next year to try to get resumes out earlier. So that is

1 something we're looking at. In the meantime, one of the things we've
2 also done is send the resumes from the grant recipients who can be
3 non-competitively hired now to all of the offices. There were 65
4 resumes that were given to all the offices recently, and they can bring
5 those people in for interviews. And they're from our grants to
6 universities programs, as well as minority-serving institutions and their
7 grant programs. And so that's another avenue that is made available
8 to all the offices to help them fill, you know, bring the best and brightest
9 for the NSPDP program.

10 COMMISSIONER BURNS: Okay. Thanks. And
11 along those lines, one of the things I've sort of seen in articles since I've
12 sort of come back is, is the issue of competition for sort of new entrance
13 into the workforce coming out of schools and all that and that, quite
14 frankly, that the federal government still has a sort of an image of a
15 stodgy, inflexible -- I can probably go on with some adjectives --
16 employer. I mean, how do you look at things, that type of critiques
17 that's out there? How do you, in effect, sell the thing? Because, you
18 know, apart from no matter who it's going to be, from whatever
19 demographic, they're going to want, we want to be attractive as a place
20 to work. How do you deal with what I'll call some of that that's out in
21 the atmosphere?

22 MS. PEDERSON: I'd like to comment on that, too. I
23 personally am involved in recruiting at various events, but it's important
24 that we pick the right people to go on the events. We need to have a
25 diverse group of people that go out and recruit, and we found it very
26 effective to bring a recent NSPDP person with us, so someone that's

1 close in age to the college student who can talk to them. We often try
2 to bring them back to the school they graduated from. They may
3 actually know some of the people. We try to set up what we call
4 information events where we go and have an open forum, and we
5 advertise it, and so we try to get students to come and we talk about the
6 agency, we talk about the benefits of the agency. We have so much to
7 offer, but it's incumbent on us to try to get the word out because we're
8 not always well known. And so it's picking the right people, and getting
9 out there and advertising ourselves I think really helps.

10 MR. SARTORIUS: She's right on the money there. I think
11 another thing that we do fairly well is that we have university champions
12 that are usually senior people that establish a relationship with the head
13 of a department, for example. I was a champion for the University of
14 Illinois at one time, and I knew the head of the nuclear engineering
15 department and I would talk to him on a monthly basis. We would
16 keep those lines of communications open, and it's especially to keep
17 those lines of communication open when we're not necessarily hiring at
18 the degree that we were several years ago. That's when it's even
19 more important to keep that communication going.

20 COMMISSIONER BURNS: And I presume you are
21 also following sort of demographics in various professions. Can you
22 give me a sense, particularly in science and engineering? I'll give you
23 the example because I know in law probably, I don't know, 10 to 15 --
24 because I used to follow this stuff as being sort of the head recruiter for
25 OGC. But in terms of law, sort of you hit this tipping point, for example,
26 with women and men where you have now in law schools probably a

1 little bit over 50 percent are women who are in law. But I know that's
2 always been a challenge. That's been a challenge in science and
3 engineering, and what's sort of the sense or the trends there?

4 MS. PEDERSON: Well, I'll be happy to talk about that
5 one, too. I follow the engineering demographic, and it's been an area
6 really of focus for our youth outreach initiative in Region III. In schools
7 in general, it's about 20 percent of the engineering population is female.
8 And in the U.S., the working population of engineers is more around an
9 average of 10 percent of working engineers are women. So it is not at
10 all representative of the U.S. as a whole, and I don't have the statistics
11 for all of us but I do have the statistics for Region III. We're at about 16
12 percent of our women, excuse me, of our engineers are women. So
13 we're better than the national average across this country, but it's an
14 area that really needs, in my personal opinion, increased focus and it's
15 something we've been trying to do.

16 MR. SARTORIUS: And, of course, the focusing on
17 minority-serving institutions is always a good place to tap out of, and
18 there are a number of very good engineering schools that we have used
19 traditionally in being able to diversify our entry-level employees.

20 MR. BARNES: Yes, sir. I recently did a study using
21 the National Science Foundation demographics and data that they
22 provided, and it is about 10 percent of working engineers are women in
23 the U.S. The agency's demographic when I did that report almost a
24 year ago, our demographic was 18.9 percent female engineers and
25 science.

26 COMMISSIONER BURNS: Okay. Well, I encourage

1 you to continue to follow those types of things. I know my time is up.
2 But it's important and, as I say, not only for women but also minorities
3 and all. And I appreciate the efforts you're making. Thanks.

4 CHAIRMAN MACFARLANE: Great. I think this is
5 actually a very stimulating session, so I really appreciate it. And I
6 think, you know, one of the strengths of the agency is our diversity, as I
7 said earlier. But I think another great strength is that we have this
8 meeting twice a year where we talk about these issues, and we don't
9 just talk about the good stuff. And I think it's important to remember
10 that, you know, we also have to talk about the hard stuff. And so I
11 appreciate you all being here and doing that.

12 And, James, I agree with you that it's really important
13 that we continue to broaden our definition of diversity and not stick with,
14 you know, whatever the government decided, the little slots that the
15 government decided a long time ago. And I think, Tony, you did a
16 fantastic job of explaining why that's important, that it will harm us as an
17 agency if we don't take advantage of the diversity of views and values
18 out there. And also, Tony, I think you did a great job at showing not
19 just why it's important but, you know, what we need to do and how we
20 need to make it happen and how we need to make sure that people feel
21 included.

22 And I think it's great news about the new advisory
23 committee on LGBT. That's really important for the agency. Again,
24 we've got to keep pushing out there.

25 I think the real challenge, as Tony and James and
26 Carolyn said so well, and Cindy as well, that, you know, it's important to

1 make sure that folks here feel essential to the mission of the agency
2 because it's such a great mission and that they also feel not overlooked
3 in their career advancement because of their diversity. We don't want
4 that kind of sense to fester because that will harm us. It will rip us
5 apart.

6 So a couple of questions about that. So, you know,
7 you presented the decreased IQ scores for the agency. We're going
8 down, and we're going down more than the federal average. So I
9 wonder if you have a few thoughts on what's driving this, and I wonder if
10 the behavior matters campaign that's been going on for the past couple
11 of years has been helping and how we measure that that's been helping
12 and how we're evaluating that.

13 MR. BARNES: My thoughts on the change in the
14 agency compared to the rest of the federal government I think is really a
15 mathematical thing. I mean, the size of the federal government is
16 hundreds of thousands of people. And to make a major change of two
17 or three or four percent would mean that something really, really bad
18 would have to happen to a large quantity of people to drive that number,
19 so it's very difficult to make a major change there. In the agency, a
20 change of one percent is 38 people.

21 So we had some external things. And if you refer
22 back to my slide of comparing the agency to the federal government,
23 the geometry is almost the same. Starting in, say, 2011 or '12, the
24 decline, looking at it on the plot, is basically the same.

25 So I think, to a great extent, it's as many external forces
26 requirements, no pay raises for three years, sequestration, turn on the

1 TV and having relatively important people say the federal government
2 workforce is lazy and doesn't deserve a raise, etcetera, those things
3 affect the workforce in a certain way. But there are definitely internal
4 things, as well. Fukushima had an effect on a portion of our workforce,
5 waste confidence, Yucca Mountain, etcetera. Those are things that
6 have a dramatic effect on a large portion of the agency that drives just
7 how hard you were working. The questions that are traditionally the
8 lowest responded to positively questions are the kind of questions that it
9 doesn't take a whole lot to generate a negative impression.

10 And once again, those aren't negative. We only plot
11 the positive responses to the question. That's the way the survey
12 works. So if it's not a positive, it's not considered. So anyone who
13 says I don't know, so to a question, like question 23 on the survey is, in
14 my workforce, individuals who cannot or will not maintain the standard
15 are dealt with effectively. A lot of people say I don't know, I don't know
16 who is a non-performer, I don't know who's on a PIRM, I don't know.
17 So when you answer I don't know from the survey, that's essentially the
18 same as saying no because it's not a positive responded-to question.

19 So I don't want to beat up the tool, but I would say –

20 CHAIRMAN MACFARLANE: limited –

21 MR. BARNES: yes, ma'am, absolutely.

22 CHAIRMAN MACFARLANE: Okay, thank you.

23 MR. CORBETT: And the thing I would add, when we
24 share the individual plots with the offices, it often does line up with
25 something like a merge or reorganization. I mean, there are things the
26 offices often see that do drive certain responses in those particular time

1 frames. So I think what really is very useful is, when Tony shares
2 these and sits down with the offices, that the leadership in those offices
3 take the data seriously and make the appropriate plans to address their
4 unique areas because every office -- Commissioner Baran, I think it
5 was your question, you know, are they different? They are very
6 different. They're driven by things within that office to some extent, as
7 well as these external factors. So each office really, SBCR cannot
8 come in and tell them what their plan is. They need to take the data
9 and include that with their knowledge of their office, their program, the
10 changes that are taking place.

11 CHAIRMAN MACFARLANE: Okay, great. A couple
12 more questions. So, Carolyn, I thought you were very eloquent in
13 talking about the challenges that we face as an agency in the areas of
14 women and minorities advancing in their careers. And I'm curious
15 whether we've done some sort of more detailed analysis. Maybe
16 you're aware of more detailed analysis on this.

17 So have we looked over 10 to 20 years on comparing
18 numbers of women and minorities who were in the pipeline -- and
19 there's often a lot of focus, I think, personally, too much focus on the
20 pipeline and not on what happens after the pipeline has been filled. So
21 if we look at the people who were in the pipeline over 10 or 20 years and
22 then look at where they ended up, so compare that to the number of
23 women and minority -- and I think this is especially important to look at
24 for the technical areas -- but women and minorities in office director,
25 deputy director, division director, deputy division director positions.
26 Have we done that kind of thing, and have we looked at the retention

1 numbers of women and minorities over a long period of time?

2 MR. BARNES: No, ma'am, we haven't. But that is a
3 very interesting scenario, and I will tell you that we had a speaker here
4 recently. I believe it was in March. Mr. Gary Smith from IVY Planning
5 was our speaker for our ELS, the Executive Leadership Seminar. And
6 he spoke of another agency where he had done that. It was called the
7 Divergent Path Study. And in the agency he did it, I mean, it was a
8 contractor-level, very in-depth look at what happens to cohort groups of
9 different demographic groups from the day they arrive. And his
10 synopsis was within six months of reporting onboard of that specific
11 agency, he could see where their divergent paths already began,
12 whether you were a white male or a woman or a person of color, that
13 your first divergence began. And it was based on the kind of
14 mentorship you received and how much you were told about the
15 unspoken policies, etcetera, how inclusive you had been when you
16 walked in the door. We haven't done that kind of study, but I believe
17 that is the nature of what you're speaking towards is --

18 CHAIRMAN MACFARLANE: Yes, you know, I'm just
19 curious. I think we could simply do the raw numbers ourselves, but,
20 you know, the more in-depth study of course would be more interesting.

21 MR. BARNES: Yes, I believe it has to be down to the
22 level of the individual, more so than a large group --

23 CHAIRMAN MACFARLANE: Yes, but I think we
24 could just sort of do a raw look at what we have over the last 10 - 20
25 years just to see if there are any trends that would require more of an
26 in-depth look. I don't know.

1 MR. BARNES: Now, what I have done is, when I
2 arrived here in 2010, I began to track the agency's percentages of
3 women and minorities in the feeder group, 13, 14, and 15, women and
4 minorities in leadership positions by the designated leadership position,
5 and women and minorities in leadership positions including
6 non-supervisory 15's, which, by the nature of being a 15, you're a
7 leader. And we have had consistent growth at the agency level from
8 2010 to the last numbers I had, which was the end of '14, moderate that
9 it might be, a decimal of a percent in some cases. But from 2010 to
10 2014, there has been an increase in each of those three areas each
11 year as an agency level. The offices change, go up and down based
12 on where the promotion position exists. So the offices are going to go
13 up and down, but at the agency-level focus we've increased every year,
14 every fiscal year.

15 CHAIRMAN MACFARLANE: Okay, good. Okay. I
16 have a few seconds left, so let me just -- for Cindy. I think, you know,
17 you're doing a really impressive amount of work in Region III on
18 diversity issues and, you know, pulling people together, so kudos to
19 you. I think, you know, you set an example for the rest of us. And I
20 was really interested to include it as part of diversity outreach to the
21 community, and so I'm interested in a little bit about, you know, when
22 you think about public meetings or webinars, how diversity plays a role.
23 Are you thinking about this in terms of the staff or the training that the
24 staff needs to really interact with different groups out there? Are you,
25 you know, designing your webinars in terms of those folks that you're
26 trying to reach? I'm trying to understand --

1 MS. PEDERSON: It probably meets a couple of those
2 goals, but the reason I was bringing it up is from the diversity of thought
3 perspective. And, you know, I think the reason we value diversity is for
4 the diversity of thought and what that brings to us doing our work. And
5 part of that diversity was the diverse views from some of our external
6 stakeholders, so that was the context I was using there.

7 However, it does give us opportunities to do a lot of
8 other things, like other experiences and other training. For example,
9 webinars you mentioned, we've brought in some of our other staff to
10 learn from those who did our first webinars and as an ability to transfer
11 knowledge to, well, just the examples I'm thinking of, I'll include a
12 diverse population, our own staff doing that. But the context I was
13 using, it was from diversity of thought.

14 CHAIRMAN MACFARLANE: Okay. Thanks,
15 thanks. Okay. Commissioner Svinicki?

16 COMMISSIONER SVINICKI: Well thank you
17 everyone and good morning. We've had some good discussion, some
18 very informative presentations. No one has remarked on it, so I will. I
19 want to compliment all those involved with the sustained A grade on
20 small business contracting.

21 I've made this comment in the past, but I want to make
22 it again. If people aren't aware, there are government agencies that
23 struggle mightily with this, and there's more than one government
24 agency that gets an F. So this is not like Woebegone, where everyone
25 is above average.

26 There are agencies that get an F year after year. An A

1 is hard to get. We've had it now for multiple years. So it is not only
2 the innovative and creative work done by SBCR and others; it is the
3 programs who work in identifying and work with ADM in finding what I'll
4 call bite-sized chunks or appropriate scopes of work, because agencies
5 can structure their procurements in a way that make it difficult in a small
6 business community to appropriately be sized to address this.

7 And so it really needs to begin with the programs, with
8 the contracts folks. So there's a lot of people bringing their A game, so
9 that we can get this A grade, and very, very difficult to do. I was
10 worried the first time we got it, but I was going -- then I thought oh no,
11 we got an A because, you know, it's so hard to get that I worried we'd
12 fall off.

13 But it seems to me each year you talk about the
14 match-making events and other things that you're doing that I think are
15 making this -- making this work approachable for people to bid on, and
16 of course we need good value for our dollar.

17 But in addition to that, we're also achieving the goals.
18 The other thing the Small Business Administration does is it punishes
19 you for your success, because then they raise the bar. So that's the
20 other reason it's hard to get and hard to keep, because they say if
21 you're capable of over-achieving in this way, NRC, then we know we're
22 going to keep upping the amount that we're going to ask you to achieve.
23 So kudos for that.

24 I also want to say that I appreciate Commissioner
25 Burns' back and forth about the incoming generation of professionals.
26 Just this week or last, I read maybe a similar thing to what motivated his

1 questions, which is that according to surveying, they're finding that
2 college graduates and young professionals now are less interested in
3 even learning about and exploring federal government employment
4 than in generations past.

5 So I will say in light of that Jennifer statistic, that we had
6 1,000 applicants or in that neighborhood for NSPDP, that's impressive.
7 As I've done some university outreach and speaking, I do generally get
8 approached by one or two students afterwards about how much they
9 desire to come work at NRC.

10 So I know our reputation is still out there. As Cindy's
11 mentioned, we want to compete for the best of the best, and I do think
12 definitely we have a shot at attracting those people. So I know that
13 that takes a sustained effort.

14 Interesting to me though, against this apparent
15 statistic, that maybe young people are less interested in federal
16 employment, given the levels of student loan debts that students are
17 graduating with now, I am hearing on, you know, financial news
18 channels and financial advice shows more and more advice being
19 generated that young people consider public service sector careers
20 because of, in some instances, programmatic opportunities for some
21 compensation for if they work long enough, they can get some money
22 towards paying down or maybe completely eliminating their student
23 loan debt.

24 So with students graduating, in some instances with -- I
25 was asking my attorney in my office yesterday about I heard a case of a
26 law school graduate who had \$225,000 in debt. "She called into Suzie

1 Orman this past weekend, and I said is that unusual? Is it hard to get?
2 You know, that seems an astronomical.

3 That's like a quarter, almost a quarter of a million
4 dollars in student loan debt, and I'm told that, you know, for prestigious
5 universities, law school programs, advanced degrees, it is not
6 unprecedented.

7 So that may be, you know, kind of I guess a sad kind of
8 opportunity, but an opportunity nonetheless for public sector institutions
9 to attract the best of the best, who may have had to take on these really,
10 really extreme and staggering debt loads.

11 So that might be something for us to think about, as we
12 structure programs in the future. Carolyn, I want -- I really, really
13 appreciate that you talked about, as you put it, progress and
14 opportunities for improvement.

15 Like most organizations, NRC has both. We're
16 making progress, but we have opportunities for improvement.
17 Specifically, I resonated with your comment about, I'm sorry for this
18 alphabet soup, NSPDP, LPP and SESCO. For those who just heard
19 a bunch of letters and it doesn't mean much to you, you know, these are
20 our programs where we position people for future success.

21 You've made the point now, it's good we have those,
22 and I think that institutions need those in the private sector. Often in
23 corporations there are, you know, leadership cadres. People get
24 singled out and they get unique opportunity for advancement.

25 But you made the point that if that is the singular
26 opportunity for success, then basically what we do is we're going to set

1 up kind of a class society here, of people who get into these programs
2 and people who don't, and we need to definitely be more expansive
3 than just that.

4 So I'm in agreement with that point, and really
5 appreciate it. The other thing is that these programs, these three
6 programs have been in place for some time, and if we don't continually
7 look at what are both -- what's facilitating opportunities for successful
8 application and also barriers, and provide people feedback and
9 opportunities to maybe apply again, have a higher opportunity of
10 success, then I don't remember that famous saying, but it is something
11 along the lines if you do what you always do, you'll get what you always
12 get.

13 So I think that's got to be operative, you know, in this
14 case, and I appreciate. I know at least with the Senior Executive
15 Service Candidate Development Program, there was over the past year
16 a re-look at, you know, what are we doing? What are the weighting
17 factors? How are we making that as inclusive as possible?

18 I'd just encourage those involved with that to continue
19 to focus in that area. I think that that's key, but as Carolyn's
20 mentioned, it applies to the other two programs that are for other career
21 phases as well, and I know that we'll keep doing that.

22 I know that we have a vibrant program for diversity best
23 practices, and Scott, you covered that for OI, about how you look at
24 those and pull those in. Cindy, I was wondering if you could talk a little
25 bit about how you tap into that best practices program in the Region.

26 MS. PEDERSON: Well we certainly take

1 opportunities to share across the organizations in various counterpart
2 meetings and things like that. But one thing that we just did recently,
3 and actually it came out of Tony's area, was bringing in Gary Smith, the
4 speaker that you heard mention of.

5 We brought him in for one of our leadership retreats, to
6 talk about unconscious bias. So there's an area specifically that we
7 tapped into a resource that SBCR had given us, to help us and look at
8 our diversity and our inclusion.

9 COMMISSIONER SVINICKI: That's great, and Tony
10 you talked about this inclusion quotient, and that it keys off and
11 basically is a formula. It takes, I think you said 20 of the FEVS
12 question areas. Could you talk a little bit about though, in general, like
13 what are those areas? What goes into the new inclusion quotient or
14 the relatively new?

15 MR. BARNES: Yes ma'am. In the background
16 binder, we've also taken all the material in there, where it's in ADAMS
17 and we're also posting it for those that would like to go up on the SBCR
18 SharePoint site, to look at the agency's level.

19 There's five focus areas, what are -- what we call the
20 "five habits of inclusion." That's the FOCSE, and 20 questions are
21 taken from the overall FEVS, which is like 84 or 87 questions, and the
22 individual questions are noted in there as to which questions bounded
23 fairness. If I can --

24 COMMISSIONER SVINICKI: So it's keyed to the
25 behaviors, then, and it's the FEVS's questions that would most directly
26 kind of take the organizational temperature in those areas? Is that's

1 how it's built?

2 MR. BARNES: Yes ma'am, absolutely. So those 20
3 questions, they're not all 5, 5 and 4. It's 5 for fairness, I think it's 5 for
4 openness, but there's only like 2 for supportiveness. Those questions
5 refer to how an individual feels about the fairness that they're seeing in
6 their workplace or an agency as a whole.

7 Then by measuring the positive responses, it's really
8 the first opportunity in the federal government, really using an
9 individual. Mr. Scott Page, who wrote a book called *The Difference*.
10 Scott is a double Ph.D. He's a professor at the University of Michigan
11 and is a Ph.D. in Math and Sociology.

12 So this is the first attempt to try and quantify what
13 previously was thought to be unquantifiable, the inclusiveness of an
14 agency or of an organization or any group. So by tracking over time
15 the employee responses to how they feel about those 20 questions is
16 how we generate this plot.

17 Seeing numbers on a spreadsheet of 67, 64, doesn't
18 resonate. When you see them plotted and see the rate of change over
19 time, it has a little better effect. Plus you can look at the number and
20 look backwards as a leader and say what kind of things did we do, as a
21 group of leaders, that might have caused that change.

22 In some cases, it was the retirement of an important
23 leader that changed the entire culture of that particular group, and you'll
24 see that change happen in the plots.

25 COMMISSIONER SVINICKI: Okay, interesting.
26 Thank you very much.

1 CHAIRMAN MACFARLANE: Okay. Commissioner
2 Ostendorff.

3 COMMISSIONER OSTENDORFF: Thank you,
4 Chairman. Thank you all for your presentation. I want to echo
5 Chairman Macfarlane's comments on the significance of the turnout
6 here, but also the fact that we do this twice a year and we talk about the
7 goods and the bads.

8 I think that's not done across many organizations, from
9 my experience. So I completely agree with the Chairman on that
10 comment.

11 I have a couple of comments -- a few comments to
12 make, not in any particular order, and I also have a couple of questions.
13 I appreciate the very thoughtful questions of my colleagues that have
14 preceded me. I want to kind of look at Vonna here in the back and
15 James here, and acknowledge the significant value of our agency's
16 rotation policies, and this goes across -- we've talked about this before
17 at different meetings.

18 Mark, I look at you and your leadership here as
19 executive director for Operations. But I think we really benefit when
20 we bring new leaders in, provide them a chance to run an organization.
21 Vonna's been acting Region I administrator here for a period of time,
22 while James has been in this job.

23 So I think it's a win-win-win for you two, but a win for
24 the Commission and the agency. So I look also to Miriam Cohen, who
25 was -- yeah, Miriam, and your strong support from OCHCO on
26 personnel rotations. I think that is a significant strength of this

1 organization.

2 I've said before, I'll say again, I did not see this in my
3 experience for 26 years in the Department of Defense nor the few years
4 I spent in the Department of Energy. James, I want to thank you for
5 your leadership in moving forward with advisory committee in the LGBT
6 community.

7 I had a chance just last Thursday down in Norfolk to
8 attend the decommissioning of the ship I had the privilege to command
9 for three years, back from 1992 to 1995. I'll tell you quick, this is not a
10 sea story, because we weren't at sea when this happened, but I was
11 talking to a senior chief petty officer, Dell Lowry, who worked for me at
12 that time.

13 I'd not seen him in many years, almost 20 years, and
14 we were lamenting on, I think, a sad story of a gay sailor that we had,
15 that was under the don't ask, don't tell policy, was discharged pursuant
16 to the Department of Defense policy at the time.

17 I was telling Dell, I thought this was one of the few very
18 bad things I felt about my experience in the military, is how this person
19 ended up being treated. I was the commanding officer, had some
20 responsibilities to execute Navy policy at the time. It still was with me
21 21 years after the 1994 discharge of the sailor, that I'm not going to
22 name.

23 So I think to the extent that there's been movement
24 here in a very positive, constructive way, to ensure the inclusion of this
25 important group, and to make advances in that, I fully support it and I
26 want to thank you for your leadership in this area.

1 Tony Briggs, I add my thanks to that of Commissioner
2 Svinicki, in pointing out the small business. I had some responsibilities
3 in this area at DOE with some people that worked for me. I completely
4 agree with my colleague. This is hard. Well done to you and your
5 team. I'll leave it at that.

6 Tony, in your presentation, I thought it -- others have
7 commented on it -- I thought was very thoughtful, and you made a
8 comment that I wanted to fully support, and you didn't spend a lot of
9 time on it. You didn't need to, you know.

10 The importance of Leadership 101 cuts across so
11 many different areas. So I want to thank you for bringing it up. I'm
12 going to point to Cindy Peterson, who made, you know, what was
13 actionable. You had a lot of actionable things in Region III you were
14 doing.

15 I know it happens elsewhere in the agency, but I just
16 wanted to comment on your open meeting, your morning meeting being
17 open to those who want to attend it. Well, the fact that it's open sends
18 a strong signal, but also provides a chance to dispel rumors and
19 innuendos of what's going on behind that closed door.

20 So that's just a very simple but demonstrative example
21 of Leadership 101 in practice. So I want to thank you for what you're
22 doing there, but it also is an execution of something that Tony's talking
23 about, which is so important.

24 Scott, I wanted to comment, kind of piggyback on
25 Commissioner Burns' comments on the statutory authority piece. I
26 saw this, because I had the Office of Investigations in NNSA and they

1 reported to me. As I recall, I think they had the authority that you do
2 not, from my experience.

3 I was curious. Is there any national association of
4 investigators or any body that's in a position to lobby the Hill? I know
5 that Commissioner Svinicki and I and Chairman Macfarlane, we've
6 been very supportive in years past of this legislative provision. It hasn't
7 gotten anywhere.

8 Is there any other voice that might be helpful on the
9 Hill, for a national council or association of, fill in the blank. I'm not sure
10 what the right body is.

11 MR. LANGAN: There are, and several of them I
12 mentioned earlier, NOBLE, WIFLE. There is the Federal Law
13 Enforcement Officers Association, which does work on the Hill on
14 behalf of items like this, as well as other items, and there's a couple
15 more as well.

16 While our membership can engage with them, and
17 they can certainly go out and advocate, that's been not something that's
18 really been carried forward. I think a lot of the agents have been just
19 kind of waiting to see how this process works. They know it's a
20 time-consuming process, it doesn't just happen, and wait to see.

21 Not to say that there hasn't been discussion amongst
22 the agents about reaching out to FLEO or NOBLE or WIFLE or
23 HAPCOA, which is our Hispanic organization, to do just that. But
24 there's been no strong concerted effort to do it to date.

25 COMMISSIONER OSTENDORFF: Okay. I know
26 the Commissioners would be very happy to be helpful if we can be in

1 that regard. So just an open-ended comment there.

2 I want to go to comments that Carolyn made, and then
3 ask Mark Sartorius a question. Carolyn, I appreciate it and the
4 Chairman hit on it and Commissioner Svinicki hit on some of this
5 already. But let me bore down on one specific element.

6 What I took away from your conversation, and I'll make
7 sure I have this correct, was for these various programs with the
8 acronyms that Commissioner Svinicki identified, where there have
9 been non-selects, and the process to communicate to those who did
10 not -- were not selected for a program, I think I'm saying there's a
11 concern there, that they're not being told this is why you didn't make it.
12 Is that -- was that -- am I correct in interpreting your comments that
13 way?

14 MS. FARIA: The concern is more the person would
15 have to go and ask. There is a process for the people to go when
16 you're not selected and ask, I think it's through either OCHCO, and
17 there is a process for that. But it would be nice if it were just automatic
18 as well, because sometimes it has been perceived if you do go and ask
19 for some of the members or staff members here in the NRC, as if then
20 you might be pinpointed, asking why is this person potentially whining.

21 And that has been some of the feedback that we've
22 received as EEO committees and that's what we were trying to
23 communicate.

24 COMMISSIONER OSTENDORFF: Okay, and yeah,
25 because I'm going to make -- please, while you're going to the podium.
26 I know that we discussed this issue when Jody Hudson was at this table

1 here maybe three years ago, when he was establishing a course on
2 difficult conversations, where it's tangentially related to your comment
3 there.

4 MS. COHEN: Yeah, and just, you know, to use
5 Commissioner's Svinicki's term "the alphabet soup," I mean there's very
6 different programs. So I think we should really not put them all in the
7 same group.

8 So for example, the NSPDP is an entry level hiring
9 program, and these are mainly external folks. So there are processes
10 to inform them when they're not selected for a position. The
11 Leadership Potential Program, again it's a mid-level program that
12 employees can apply for.

13 We haven't had one in a couple of years, and there are
14 actually processes and procedures that we use when we provide
15 feedback back to the applicants. Finally, on the Candidate
16 Development Program, which is the high visibility program for entry into
17 the Senior Executive Service, we have -- and I'm not defending the
18 status quo. I'm just telling you what actually exists.

19 We do have very formal procedures to inform people
20 were they selected as an A candidate, were they a B candidate, were
21 they a C candidate. Office directors are, you know, given pretty, you
22 know, some of them can get scripts of actually like, you know, sort of
23 how to help them have those dialogues.

24 So I think that, you know, the points that were raised at
25 the table, I think maybe that speaks to the lack of uniformity in those
26 discussions. But I can assure you that we have processes and

1 procedures in place that have been used over time to ensure that
2 candidates are given the relevant feedback.

3 The other thing I would say, and I don't know, Jody
4 might have been here earlier and Sharon Hudson -- not Sharon
5 Hudson, Sharon Stewart-Clark. We actually thank you, Sharon. I
6 think you did three or four sessions this past year with candidates on
7 actually how to improve their ECQs, and this came -- Executive Core
8 Qualifications, sorry -- to actually bolster people's ability to be more
9 competitive.

10 That was based on feedback about what can I do to
11 make my package better, stronger. This was actually feedback that
12 actually came from some of the advisory groups. So I want to thank
13 Sharon and Jody for holding those sessions throughout the year, to
14 enhance the ability of the candidates to put stronger packages together.
15 Thank you.

16 COMMISSIONER OSTENDORFF: Thank you
17 Meriam that was very helpful. Mark.

18 MR. SARTORIUS: Yeah. Just we do have
19 processes in place, Commissioner. Are we doing as good as we
20 should? No. It's something that's the hard conversations to have.
21 We can never talk about that enough with our senior leaders, that you
22 have to have those hard discussions, those hard conversations, and
23 some are better at it than others. Those that aren't as good at it, we
24 need to coach and bring along.

25 COMMISSIONER OSTENDORFF: That's fair.
26 Thank you all. Thank you Chairman.

1 CHAIRMAN MACFARLANE: Okay. Any further
2 questions from the table? Then I'm going to invite Maria Schwartz
3 from the Union to give some brief remarks.

4 MS. SCHWARTZ: Good morning, Chairman
5 Macfarlane, Commissioners, Mr. Sartorius, executives, managers and
6 fellow bargaining unit employees. This is the third time I've had this
7 opportunity to speak with you on behalf of the National Treasury
8 Employees Union in this forum.

9 NTEU, as you know, is the exclusive representative of
10 our bargaining unit employees. I'm joined here today by Sheryl
11 Burrows, our chapter president; Robert Heard, our chief steward, and
12 chapter officials and stewards including Darrin Butler, Peter Hearn,
13 Elaine Keegan, Walter Lange, Ellen Martin and Cardelia Maupin.

14 I'd like to take this opportunity to thank Chairman
15 Macfarlane for her service to the NRC, and her obvious interest in our
16 employees, and to welcome our new Commissioners, Commissioner
17 Baran and Commissioner Burns. NTEU looks forward to working with
18 you in the interest of our employees' working environment.

19 This particular briefing is so important, because it
20 highlights areas where the agency is on track in its efforts to be a more
21 diverse and inclusive organization.

22 It also provides information about the challenges that
23 face the NRC, that face the Union as well, as we strive to make the
24 NRC an agency where all employees, regardless of age, gender,
25 sexual preference, color, national origin or religious affiliation, are
26 treated with dignity and respect.

1 We also agree that diversity inclusion play a
2 substantial role in the everyday interactions of an organization, and
3 according to the Diversity and Inclusion Index, which is derived from the
4 2014 Federal Employees Viewpoint Survey, the FEVS, the agency has
5 made progress in several of the areas that are included in the new IQ
6 index. We've heard about this this morning.

7 The Union supports these efforts that have led to the
8 improvements, and it's important to celebrate such successes. This,
9 however, should not prevent the agency from trying to better
10 understand where it is not having the same successes.

11 Additionally, the agency should not look at the new IQ
12 in a vacuum, since diversity and inclusion are part of a larger
13 organizational culture. While the FEVS results have been designed to
14 quickly identify where our agency has improved or declined in the past
15 year, this is only the first step in painting a complete picture of where
16 our agency is today.

17 In that regard, it is very important to use this data in
18 conjunction with other information, to paint that complete picture. This
19 requires us to be honest with ourselves and honest in the way that we
20 use this data.

21 Unfortunately, that doesn't always happen. I recently
22 pulled up a slide presentation, "2014 Federal Employee Viewpoint
23 Survey NRC Powered by You", that was used to encourage employees
24 to complete the 2014 FEVS survey. I was particularly interested in the
25 way that the 2013 FEVS results were used to compare the NRC
26 leadership and knowledge management to the number one ranked

1 NASA results, implying that the NRC ranks right up there with NASA in
2 this area.

3 This comparison to NASA, in NTEU's opinion, is
4 misleading. NTEU also notes that providing this comparison did not
5 succeed in encouraging employees to think more positively about
6 leadership at the NRC over the past year.

7 First of all, if you look at the positive responses
8 regarding leadership between 2013 and 2014, the agency lost some
9 ground. But if you look at the trend from 2010 to 2014, you will see
10 startling evidence that employees are struggling with various issues
11 that they attribute to a lack of leadership.

12 Let's look at two questions in the 2014 FEVS results
13 that pertain specifically to leadership at the NRC. The positive
14 responses to Question 53, "In my organization, senior leaders generate
15 high levels of motivation and commitment in the workforce," has
16 dropped 12.6 percent, from a positive score of 67.8 percent in 2010 to a
17 positive score of 55.2 percent in 2014.

18 The response to Question 54, "My organization's
19 senior leaders maintain high standards of honesty and integrity" has
20 dropped 10.1 percent, from a positive score of 78.1 percent in 2010 to a
21 positive score of 68 percent in 2014.

22 These are the average scores of SES, management
23 and non-supervisory employees. If you break the FEVS information
24 down further, non-supervisory employees have an even lower positive
25 percentage.

26 An article in *The Government Executive* entitled

1 "Federal Job Satisfaction Sinks in Latest Survey," states that "Overall,
2 the best agencies got better and the worse agencies got worse. If you
3 don't have leadership that prioritizes effective management, you're
4 going to have challenges with any organization.

5 "In the declining agencies, we're not seeing enough
6 investing in people and creating a culture of people who do jobs well.
7 Add to that not having enough resources to do the job, you don't have
8 the fundamentals of a healthy organization."

9 In meetings the Union has attended where this
10 downward trend is addressed, various reasons are offered. We've
11 heard some of them today. Some focus on the external factors facing
12 federal employees across the board. Others point to the fact that the
13 NRC was in its heyday in 2010, and it would be hard to replicate all the
14 factors that came to bear that year.

15 But this downward trend, with explanations to account
16 for it, is nowhere to be found in the briefing slides, and that is a
17 significant omission, particularly in light of the effect that leadership has
18 on an agency culture, that is necessary to support and embrace
19 diversity and inclusion over the long run.

20 As Mr. Barnes commented on in his presentation and
21 Commissioner Ostendorff commented on as well, unfortunately the
22 impact from this lack of leadership falls more often, most disparately, on
23 our protected classes at the NRC. The TABS initiative is a case in
24 point. One has but to read the latest TABS report to see all the
25 efficiencies that the report states have been gained.

26 But if you go into almost any meeting and the subject of

1 TABS comes up, both employees and management start with arm
2 movements, head shaking and many have an anecdotal comment
3 about the negative experiences they have had.

4 This really hit me at the last PMDA division meeting I
5 attended. TABS was described as closed. I raised my hand and
6 commented that I hope the agency doesn't start describing TABS as
7 something that is completed.

8 My comment generated a considerable amount of
9 discussion about the problems associated with the implementation of
10 TABS, as well as the lack of efficiency it has actually afforded the
11 agency, especially in terms of the churn it has created.

12 As I looked around the room, it struck me that the
13 division was composed almost entirely of minority women. This
14 meeting was followed more recently by an older woman in another
15 office in the agency, who commented that since TABS was enacted,
16 administrative staff has no promotional path within her office, because
17 TABS has created a glass ceiling.

18 Not only isn't it fair that a particular group of employees
19 have suffered more during the implementation of TABS, but it is all the
20 more troubling because that particular group of employees appear to be
21 largely minorities.

22 Another group of employees that fall within a protected
23 class are older employees, many of whom continue to have a rough go
24 of it. This group actually predates Behavior Matters. They are part of
25 a generation where behavior does matter. They're respectful and
26 professional and let me add, hard-working, conscientious, believe in the

1 importance of being a team player and going that extra mile, values and
2 behaviors that the NRC brags about.

3 Yet these are the employees who on the receiving end
4 of some really bad management behavior, reporting to the Union that
5 they can't get their supervisors to get back to them on things as simple
6 as the request for time off; that they are subject to the temper tantrums
7 that their supervisors throw; and that they are marginalized.

8 When some really good assignments come in, for
9 example, it is given to another employee that the agency is growing.
10 One of our older employees recently asked the Union what could really
11 be done about the employee's performance appraisal.

12 When the employee spoke with their supervisor about
13 receiving the appraisal, and pointed to additional information that had
14 not been factored in, the branch chief told the employee that he couldn't
15 change the employee's rating, even with the additional information,
16 because it would make the branch chief look bad.

17 When the Union suggested that the employee file a
18 grievance and bring up that point, the employee said that his supervisor
19 would lie about it anyway, that the branch chief regularly had temper
20 tantrums in his office, and employees and other managers knew it, and
21 that if the branch chief acted this badly now, there was no telling how
22 badly he would act towards this employee in retaliation for the
23 employee filing a grievance.

24 Colleagues he discussed this with agreed with him.
25 The employee made the decision that it just wasn't worth that kind of
26 additional aggravation. When our older employees are mismanaged

1 or abused, they either retire when possible, or they go back to their
2 desks, continue to work hard, because they have a strong work ethic,
3 while their management's bad behavior is left unchallenged and
4 unchecked.

5 You might ask well, how can senior leaders do
6 anything about this behavior if they don't know about it? NTEU would
7 like to better understand why our senior leaders are not aware of this
8 behavior. If employees are too intimidated to report it, the information
9 that one can glean from the FEVS this year particularly, show some
10 pretty interesting insights into pockets of good and bad management
11 throughout the agency. The Union hopes that senior leaders will look
12 at this information carefully and take appropriate action.

13 While on that topic, based on the FEVS results, I would
14 like to point out that the Division of Safety Systems and Risk
15 Assessment in the Office of New Reactors seems to be really moving in
16 the right direction across the board, as compared to the agency and as
17 compared to their own office.

18 The agency should look harder at what is being done in
19 that division. Something really good is going on, and maybe a lessons
20 learned analysis is in order.

21 Before I finish my comments on the impact, either good
22 or bad, that first line supervisors have on their employees, the Union
23 would, in the context of this meeting and the impact that leadership has
24 on our ability to sustain diversity inclusion in the agency, ask the agency
25 to focus more attention and resources on this critical position.

26 The Union has been told in various discussions that

1 while our SES could get the coaching they request, this is a very
2 expensive proposition. Thus while coaching might be available in the
3 case where there is clearly a bad manager that needs some coaching,
4 at this point this wouldn't be available to first line supervisors generally.

5 This reminds me of the CFO speaking to the CEO,
6 saying "What if we put all this money into improving our supervisors,
7 and then they leave the organization?" The CEO replied "What if we
8 don't and they stay?"

9 So we have to decide what's going to make the
10 difference. We have to decide what's important. These are NRC's
11 leaders of tomorrow.

12 The slide presentation I spoke about earlier includes a
13 slide that provides information on the agency actions that were initiated
14 based on the 2013 FEVS results, and safety culture climate survey from
15 the previous year. It includes the Behavior Matters Café that many of
16 you participated in the last year, as well as establishing executive
17 learning seminars that focus on performance, management and valuing
18 diversity.

19 Unfortunately, another piece of data in this year's
20 FEVS results indicates that in 2014, after these actions were
21 implemented, employees are still not convinced that the results of the
22 survey will be used to "make my agency a better place to work," with a
23 positive score of only 57 percent.

24 Obviously, our employees look to our leaders to
25 motivate them and to act with honesty and integrity. We need
26 executive accountability and open transparent, two-way

1 communication, if we hope to support a sustainable, diverse, inclusive
2 organization.

3 There's a lot of work to be done. Hopefully all of our
4 bargaining unit employees, regardless of who they are, where they
5 came from, what their sexual orientation is, their gender, their age or
6 their skin color, will get the support and training they need to
7 successfully grow as employees at the NRC, and we must be
8 ever-mindful that treating our employees with dignity and respect is
9 such an integral part of this equation.

10 On behalf of NTEU, I'd like to wish all of you Happy
11 Holidays. Thank you.

12 CHAIRMAN MACFARLANE: Thank you. Well, I
13 think that brings us to the end of our meeting. I think we've had an
14 excellent overview of some of the policies and programs, and we've had
15 a great discussion of some of the successes and some of the
16 challenges. I appreciate that.

17 I think the NRC is doing a good job in fostering a
18 diverse environment. But as we heard, I think there's room for
19 improvement, and I urge you to continue to strive to improve. I think it
20 will make the agency only stronger.

21 I'd like to now remind you that we are already three
22 minutes late for my open house, which is over in the exhibit area in Two
23 White Flint. So I invite you all to come by. We are now adjourned.

24 (Whereupon, the above-entitled matter went off the
25 record at 11:32 a.m.)

26