

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BRIEFING ON EEO PROGRAM

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ROCKVILLE, MARYLAND

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TUESDAY, JUNE 28, 2005

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The Commission met in open session at 9:30 a.m., at the Nuclear Regulatory Commission, One White Flint North, Rockville, Maryland, the Honorable Nils Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ	Chairman of the Commission
EDWARD MCGAFFIGAN	Member of the Commission
JEFFREY S. MERRIFIELD	Member of the Commission
GREGORY B. JACZKO	Member of the Commission
PETER B. LYONS	Member of the Commission

(This transcript was produced from electronic caption media and audio and video media provided by the Nuclear Regulatory Commission.)

STAFF AND PRESENTERS:

Secretary

General Counsel

CORENTHIS KELLEY, SBCR

JAMES MC DERMOTT, HR

LUIS REYES, EDO

PROCEEDINGS

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CHAIRMAN DIAZ: Good morning.

We are meeting this morning like we do twice a year religiously because this is an important issue to discuss the Equal Employment Opportunity Program. We are looking forward for a good briefing.

We know this is the smaller of the two briefings, but it still is important because it lets us take the pulse of the activities of both the small business and equal opportunity program.

We have been changing these meetings just to try to make them more effective. I hope this meeting proves to be that, a good solid smaller meeting but still the information is there. We will have then the larger meeting in, I think it is in November, which is around the corner, by the way. So I hope you are ready.

As always, our goal in this, especially in our meetings is to ensure that we have effective programs in place to achieve and maintain the work place that fosters equal employment opportunities for all NRC employees.

My Commissioners and I look forward to hearing the briefing from the staff and presentations and interactions that we will have this morning.

1                   If there is any additional comments from my fellow  
2 Commissioners.

3                   COMMISSIONER MERRIFIELD: Mr. Chairman, I would  
4 make one comment. Just to note and recognize across the table from  
5 me is Jim McDermott, our new head of Human Resources, who is an  
6 old familiar face to us, not old familiar face but -- a warm familiar face.

7                   And away, I wanted to talk this public opportunity to  
8 congratulate him on his ascension to his new job. We will miss his old  
9 boss, Paul Burr, but we know that Jim will do just as a good a job and  
10 we have a lot of continuity in that regards.

11                  I do want to make that note publicly, Mr. Chairman.

12                  CHAIRMAN DIAZ: All right. Thank you so very much

13                  COMMISSIONER MC GAFFIGAN: Mr. Chairman, I would  
14 only note that in response to listening to Commissioner Merrifield, Mr.  
15 McDermott noticed I pulled out my latest issue of Federal Times and he  
16 pulled out his latest issue of Federal Times.

17                  CHAIRMAN DIAZ: We have got you covered, sir.

18                  COMMISSIONER MC GAFFIGAN: This is nonverbal  
19 communication which goes on around here.

20                  CHAIRMAN DIAZ: Well, we do appreciate your service  
21 with the Commission for many years. And now we look forward to

1 going and doing some extra work.

2 With that.

3 MR. REYES: Good morning, Chairman, Commissioners.  
4 Today the staff will be briefing the Commission on the NRC's EEO and  
5 diversity management programs. The presentation today is a mid-year  
6 abbreviated version compared to the end of the year version where we  
7 provide a full set of detailed information in the form of a Commission  
8 paper.

9 For this meeting, we have invited those individuals  
10 promoted to SLS and to or within SES, and Leadership Development  
11 Program graduates placed in supervisory positions since the December  
12 2004 EEO Commission briefing.

13 At the last Commission EEO brief, the Commission was  
14 interested in the diversity of our SES core, specifically, the  
15 representation of females which was highlighted in the GAO Report.  
16 Also, the Commission was interested in the representation of Hispanics  
17 in the SES.

18 Although not all individuals promoted could attend today,  
19 I'm going to ask those individuals that were promoted to SLS, SES or  
20 within the SES rank to stand up.

21 The promotions to SES since the December Commission

1 briefing includes nine females, including one individual who is Hispanic.  
2 Of the nine, seven were promoted into the SES from our candidate  
3 development program.

4 In addition, the promotions to supervisory positions are  
5 very diverse. I'm going to ask those individuals who were promoted to  
6 supervisory positions to stand up.

7 This group is composed of 28 percent females which  
8 provides for a continuing diversity feeder group to the SES.

9 COMMISSIONER MERRIFIELD: You can sit down.

10 MR. REYES: Although all individuals in this group of  
11 promotions deserve to be recognized, time limitations prevent me from  
12 acknowledging each one of them. The 50 individuals promoted to SLS,  
13 SES, and supervisory positions just represent the increasing  
14 opportunities for promotions we have observed since the last EEO  
15 Commission meeting.

16 To properly plan for the increased number of opportunities  
17 predicted in the near future, we have provided in the budget for fiscal  
18 year '06 and fiscal year '07 funds to accelerate the Leadership Potential  
19 Program and the SES Candidate Development Program.

20 The combination of increased attrition due to retirement  
21 and the increased number of positions driven by an increasing workload

1 will continue to provide a continuing increase in opportunities for all  
2 employees.

3 I would like the turn over the presentation now to Ren  
4 Kelley, who is going to do the core of the presentation.

5 MS. KELLEY: Thank you very much, Luis.

6 Let's start with Slide three, if we can get the slide on the  
7 board.

8 As Luis noted, my presentation will include highlights of  
9 SBCR's changing role and the proactive role, progress made in  
10 implementing the CDMP and accomplishing the agency's small  
11 business goals.

12 Overall success in EEO and diversity management  
13 depends largely on the support of proactive leadership. So again, I  
14 want to thank the Commission, the EDO and senior management for  
15 their continued commitment to these programs.

16 Slide four, please.

17 We want to take this opportunity to address the changing  
18 role of the Office of Small Business and Civil Rights and other civil  
19 rights offices across the federal government which is being brought  
20 about by our own internal proactive actions through the comprehensive  
21 diversity management plan, but in addition to that, through external

1 forces such as EEOC's Management Directive 715, the No FEAR Act,  
2 measures taken by the Office of Personnel Management in conducting  
3 OPM surveys. And all of these things are contributing to a changing  
4 role for the Office of Small Business and Civil Rights

5           The EEOC and SBCR's roles are changing dramatically.  
6 EEOC has significantly enhanced its review in evaluation of EEO  
7 programs.

8           For the first time, EEOC has established specific criteria  
9 for a model program and requires agency compliance with this model.

10           This model facilitates a proactive approach to integrate  
11 EEO and diversity management into the agency's day-to-day  
12 operations and creates a more proactive role for the Office of Small  
13 Business and Civil Rights, and as I mentioned, other similar offices  
14 across the Federal government.

15           Recognizing such increased demands, EEOC requires  
16 agencies to carefully assess whether they have sufficient staffing and  
17 other resources to create and maintain an effective EEO and diversity  
18 program.

19           While these new requirements provide government-wide  
20 focus and direction to shape Federal EEO and diversity programs, NRC  
21 independently developed its comprehensive diversity management plan

1 as a tool to improve this agency's EEO and diversity performance.

2 Overall, areas of new compliance include: a model  
3 program, EEO employee and management training, employee  
4 notification of findings of discrimination, annual surveys and  
5 implementation of the CDMP.

6 Slides five and six note the six essential elements of this  
7 model EEO and diversity program as described in Management  
8 Directive 715. And those elements include: demonstrated leadership  
9 commitment, integration into strategic mission, management  
10 accountability -- and I will continue with slide six, which also mentions  
11 prevention of discrimination, efficiency and responsiveness and legal  
12 compliance.

13 In October 2003, EEOC issued policy guidance in the  
14 form of the management directive to federal agencies to establish and  
15 maintain effective affirmative programs of equal employment  
16 opportunity.

17 The objective of this management directive is to ensure  
18 that all employees and applicants enjoy equality of opportunity  
19 regardless of race, sex, national origin, color, religion, disability or other  
20 things that may tend to be a basis for discrimination.

21 This guidance also enumerated six essential elements as

1 I mentioned.

2 I'm happy to report that NRC has made progress in each  
3 of these areas. And I would like to just mention a few of the things that  
4 we have done in each of these categories.

5 Demonstrated leadership commitment. As required by  
6 the EEOC directive, Chairman Diaz issued the EEO and diversity  
7 management policy. This is now an annual requirement that was  
8 brought about by MD 715. And that policy statement has been issued  
9 by the Chairman.

10 The Commission led the agency's effort in issuing its own  
11 comprehensive diversity management plan which certainly is a direct  
12 relationship to the core of what MD 715 is all about.

13 My office now reports directly to the Executive Director for  
14 Operations. This realignment enhances access and reporting to the  
15 EDO on progress, effectiveness, efficiency and legal compliance.

16 In terms of integration into strategic mission, the CDMP  
17 language is included in key planning systems: the Strategic Plan, the  
18 Performance Plan, the SES Performance Management System, the  
19 Affirmative Employment Plan, which will eventually go away, will be  
20 included in future versions of the CDMP, and the Strategic Human  
21 Capital Plan. All of these various planning systems are aligned.

1                   EEO and diversity management for training, for managers  
2 and staff is required and has been accomplished. The management  
3 portion has been accomplished. We are presently working on providing  
4 a training tool for all employees beginning in FY 05.

5                   With regard to management accountability, EEO and  
6 diversity management language is included in SES performance plans.  
7 The MD 715 self assessment, the agency completed. And I will  
8 highlight some of the outcomes of that self-assessment a little bit later  
9 in this presentation.

10                  Prevention of discrimination. As a part of the agency's  
11 self-assessment in connection with MD 715, we identified two barriers.  
12 One, limited diversity in management and supervisory positions, which  
13 is one of the goals contained in the CDMP and limited diversity in  
14 applicant pools for experienced applicants.

15                  Current strategies for success: The use of managers on  
16 recruitment teams, targeted recruitment for entry and experienced  
17 applicants, mentoring as another way to enhance career and rotations.

18                  With the category concerning efficiency, we have  
19 continued to use the alternative dispute resolution process in  
20 connection with resolving conflicts in the work place. We posted  
21 information on our complaints activity on the web, monitored timeliness

1 of processing complaints, tracked applicant and recruitment data.

2 With regard to responsiveness to legal compliance, we  
3 submitted MD 715 report to EEOC. We submitted the 462 report to  
4 EEOC. And we are establishing a program to ensure nondiscrimination  
5 in federally-assisted programs.

6 Slide 7.

7 The MD 715 report was submitted to EEOC was provided  
8 to the Commission under separate cover on June 14th of this year.

9 This management directive provides guidance to agencies for  
10 establishing effective EEO and diversity management programs.

11 The guidance included a self-assessment tool for  
12 agencies to assess their overall programs effectiveness. There were  
13 96 questions in this assessment. And the result of the assessment  
14 identified that we could improve in 13 of those 96 categories, which  
15 indicates that we were doing well in the overwhelming majority of these  
16 categories.

17 The areas for improvement were related to procedural  
18 changes, sufficient resources for program implementation, employee  
19 training, data collection systems, and timeliness of complaint  
20 processing.

21 Slide 8:

1           The No FEAR Act was issued in 2002, and I won't spend  
2 a lot of time on this, but basically, here again, this act was intended to  
3 bring about increased accountability on the part of Federal agencies in  
4 this area.

5           It requires agencies to post information on their web  
6 regarding findings of discrimination, to conduct employee training and  
7 to report on the status of complaint activity.

8           The Act also increases the impact on agency  
9 appropriations -- has an impact on agency appropriations where  
10 discrimination is found or where there are settlements that amount to  
11 large dollars.

12           Slide nine.

13           The OPM survey of 2004 required Federal agencies to  
14 conduct annual surveys to obtain employee information related to  
15 leadership quality, performance culture and talent capacity.

16           OPM conducted the Federal government-wide survey to  
17 gauge the perception of Federal employees' views on leadership  
18 quality, performance culture and talent capacity. And 54% of Federal  
19 employees responded and 63% of NRC staff responded to that survey.

20           The Government-wide results indicate that employees  
21 are satisfied with benefits and the organizations and less satisfied with

1 top leadership, rewards and the treatment of poor performers. OPM is  
2 required to conduct this survey every other year.

3           Regarding NRC results, overall, NRC results were  
4 somewhat more positive in a number of categories than the  
5 government-wide results, in such categories as leadership,  
6 performance culture, talent and co-worker cooperation, quality of work  
7 groups, work/family life balance, and some other categories. But  
8 overall, NRC's results were somewhat more positive.

9           Slide 10.

10           With regard to the Comprehensive Diversity Management  
11 Plan, we issued communication plan in December of 2004. That plan  
12 provides guidance to offices regarding their implementation of the  
13 CDMP.

14           It also provides information regarding key messages,  
15 communication tools, and listed the three goals of the CDMP which are:  
16 recruiting diverse employees at all levels, developing and retaining  
17 diverse employees and increasing diversity in managerial and  
18 supervisory positions

19           The CDMP was issued and the video of that particular  
20 document is available on NRC's web site through SBCR's site or under  
21 NRC documents.

1 All offices and regions have held meetings with  
2 employees to discuss the goals and objectives of the CDMP. And  
3 either Barbara Williams of my staff or I have participated in these  
4 meetings. And the video featuring the Chairman and the EDO was  
5 viewed as a part of these meetings. And there was a real healthy  
6 dialogue during these sessions.

7 Additionally, office roll-outs of the CDMP will be featured  
8 in an article in next month's NR&C.

9 My office continues to offer contract support to assist  
10 offices in identifying their current initiatives that support diversity  
11 management and new initiatives that may be needed to achieve desired  
12 outcomes related to diversity management.

13 Slide 11.

14 Here again it is worth noting that the Comprehensive  
15 Diversity Management Plan is linked to, and through principles of  
16 diversity management, are embedded in each of these planning  
17 systems that you see mentioned. This shows an integration of diversity  
18 management into the core of the agency's day-to-day operations and  
19 planning processes.

20 Slide 13.

21 For FY 2005, the CDMP operating plan guidance

1 memorandum was issued on May 20th, 2005. As discussed during the  
2 May 20, 2005 senior management meeting, NRC will collect and  
3 analyze existing office initiatives from such tools as surveys, focus  
4 groups, assessments and anything else that kind of tells us where an  
5 organization is to compile a comprehensive list of strategies being used  
6 and to identify areas of best practices. And to share this information  
7 across the organization.

8 Reports from offices are due to SBCR by October 31 of  
9 2005, and we will brief the Commission at the next EEO briefing on the  
10 agency's progress based on information and insights obtained from the  
11 office efforts and from their outcomes.

12 Slide 14.

13 The organizational assessments that I mentioned that we  
14 are collecting right now from offices will help to inform the selection of  
15 specific performance measures and strategies for inclusion in 2006  
16 office operating plans. Again, contracts support is available to offices  
17 should they need or desire that assistance.

18 And SBCR will monitor progress at the agency and office  
19 level as necessary to provide feedback to support continued use of  
20 existing strategies or to recommend redirection of efforts to achieve the  
21 agency's CDMP goals.

1 I'm talking about various things that the Comprehensive  
2 Diversity Management Plan is bringing about for the agency. And this  
3 was certainly an internal proactive effort that aligns very well with where  
4 the EEOC is saying that the agencies should go in terms of their EEO  
5 and diversity efforts.

6 And through this tool, we can see that it will increase a  
7 positive work environment, build inclusiveness, enable managers to  
8 integrate diversity management into their daily operations and certainly,  
9 serve to advance the agency, build organizational capacity. And we  
10 see very good things coming out of this. And this is the beginning of  
11 that major effort.

12 Slide 15.

13 The agency met four of the six goals in its small business  
14 procurement program. It was the hub zone and service disabled  
15 veteran owned business goals that we did not meet. And these two  
16 goals are very much a challenge for all agencies and there were -- to  
17 our knowledge, there has not been a Federal agency that has met the  
18 second one that I mentioned, the disabled veterans service -- the  
19 disabled veteran service disabled business goal.

20 And as a result of that, the White House issued an  
21 initiative or a requirement for all agencies to issue a strategy to say how

1 will we improve our progress in this area. And NRC, of course,  
2 developed and issued a strategy as a result of that requirement.

3 And one of the things that that strategy included was a  
4 procurement fair which was held in May, and that was very successful.  
5 We have some possible instances of possible contracts that are being  
6 discussed with the offices. It was an opportunity for the offices to meet  
7 businesses that are capable of doing work that fit this category for NRC.

8 In terms of the technical areas, this area offers a little bit  
9 of a challenge to us in terms of identifying firms that are small  
10 businesses to meet the agency's technical requirements. We have had  
11 some successes in this area. But we have to work a lot harder to  
12 identify those. But we have had some successes and we continue to  
13 work toward identifying strong capable small businesses that can do  
14 work for the agency and meet the program needs.

15 Slide 16.

16 The Leadership Potential Program and the SES  
17 Candidate Development Program continue to enhance the diversity  
18 potential in supervisory and management positions.

19 Progress will be enhanced as highly qualified graduates of  
20 these programs are placed or selected for supervisory and managerial  
21 assignment.

1                   This group of emerging leaders along with existing  
2 supervisory and managerial staff will be held accountable for integrating  
3 EEO and diversity management principles into the core of NRC's  
4 business.

5                   Progress continues with highly qualified mid-level hires.  
6 As of March 31, 60% or 74 of all hires were at the GG-13 through SES  
7 and SLS levels. Of the 74, 15 were minorities, 12 were white women,  
8 and 47 were white men.

9                   Additionally, we continue to make progress with entry  
10 level hires, including hires of the nuclear safety professional  
11 development program. This group of diverse employees will over time  
12 increase diversity in GG-13 through 15 pipeline.

13                   More work needs to be done and we believe we have the  
14 right mix of tools and planning systems in place to achieve our desired  
15 goals.

16                   The CDMP, Human Capital Plan, Performance  
17 Management Plan, and other agency planning systems will help to  
18 ensure that we work together to achieve our desired outcomes.

19                   Employees and managers must manage diversity and be  
20 committed to fully engage to its principals. We are an agency that  
21 values a diverse, highly qualified, high performing work force and that

1 gives its employees an equal chance to succeed, thereby increasing  
2 organizational capacity to achieve the agency's mission.

3 Thank you. This concludes my presentation, and I will  
4 turn the briefing to Luis.

5 MR. REYES: Chairman, Commissioners, that concludes  
6 the staff presentation. Now we are open for questions.

7 CHAIRMAN DIAZ: Thank you, Luis and Ren. I  
8 appreciate it.

9 I think it is Commissioner Lyon's turn to begin today.

10 COMMISSIONER LYONS: Thank you, Mr. Chairman

11 And Ren, thank you very much for that excellent briefing.  
12 I'm really pleased to learn that as an agency we are making substantial  
13 progress in these areas. I'm glad that the CDMP as you have  
14 described it is continuing to move in the directions outlined by the  
15 Commission, and I certainly support those directions.

16 Also, I appreciated your comments on the OPM survey. I  
17 guess I would note that while it's certainly positive that NRC, in general,  
18 outperformed the government-wide rankings, there certainly is evidence  
19 of significant areas where we need to improve. And perhaps I would be  
20 more comfortable just looking at our own numbers as opposed to the  
21 rest of government.

1                   So there are certainly bright spots in there, but there are  
2 plenty of areas where I hope our management team looks for continued  
3 areas to improve.

4                   A comment and a question. And it may go as much to  
5 Jim as to you.

6                   You spoke to the importance of diversity in the pipeline  
7 from which NRC is recruiting its new staff and its future leaders.

8                   In general, I have had many opportunities to try to work  
9 both in my previous jobs and some here in trying to help increase the  
10 diversity of that pipeline, interactions with students on university visits  
11 and things like that.

12                   I'm just curious if either of you see additional tools that the  
13 NRC should be using to try to increase the diversity in that pipeline?  
14 I'm thinking particularly of tools that would reach further down into a  
15 student's development, perhaps to the high school level, and are we  
16 exploring programs that lead in that direction?

17                   MS. KELLEY: I would say -- I'll start and I'm sure Jim will  
18 have additional words to say. But we are looking at broadening the  
19 tools that are used in terms of targeted recruitment.

20                   One of the things that is an area that may be ripe for  
21 additional progress is taking full advantage of the recruitment trips that

1 we make to conferences and universities. At those recruitment trips  
2 sometimes we have opportunities. Those opportunities are short-lived.  
3 And we go out, we send a team of very capable people to interview the  
4 potential applicants and sometimes those opportunities slip away  
5 because of the process.

6 And maybe one of the things that we could do is take a  
7 look at that and see how we might shorten that process to take greater  
8 advantage of those recruiting trips that we make across the country.  
9 That is certainly one area.

10 COMMISSIONER LYON: Jim, did you want to add to  
11 that?

12 MR. MC DERMOTT: I would add a couple of things to  
13 that.

14 First of all, we are not doing that much at the high school  
15 level and I think there are some things we can do. The various groups  
16 that are pushing this, I was downtown at the Federal Hispanic Senior  
17 Executives meeting, they talked about that. And at that meeting, they  
18 said let's not even talk about Hispanic recruitment. Let's talk about  
19 diversity recruitment. But they mentioned the value of serendipitously  
20 hitting a school here, hitting a school there.

21 I think we need something more systematic. I'm on to

1 something I have not even talked to Luis about yet. But I know that one  
2 avenue to tap, especially minority groups, is to leverage things that are  
3 going on such as the Bill Gates scholarships. They are very influential.

4           What they do is they target promising high school students  
5 who are in disadvantaged circumstances. The ones I'm more familiar  
6 with right now are the work being done by the American Indian  
7 Graduate Center out in Albuquerque. And they are leveraging these  
8 Gates' scholarships to get kids the resources they need to go on to  
9 college in science and engineering or whatever.

10           I think we need to develop more contacts with these  
11 people. And we usually do it through the schools. Find out who at a  
12 good feeder school is the person interacting in this group and get after  
13 them to get in the game. If we can get them we can pick up where Bill  
14 Gates leaves off.

15           He has a little more money than we do in our budget. But  
16 it would be a question of hooking those students in as cooperative  
17 education students. We've got something in front of Senator Voinovich  
18 to say, will you let me pay a housing allowance to these people.  
19 Another 400 bucks a month would make all the difference if we are  
20 trying to have them come to work in a regional office, coming to work  
21 here.

1 I'm thinking a lot about the regional offices. I think there is  
2 more we can do there.

3 Long-winded answer but that's what our thinking is.

4 COMMISSIONER LYONS: Perhaps following up on that.  
5 Are we authorized to use programs that allow staff to spend a few  
6 hours a week helping in a regional school, in a local school? Is that  
7 something -- I just don't know if that allowed within our personnel  
8 practice?

9 MR. MC DERMOTT: It is allowed. And the Office for  
10 Public Affairs has for years -- I'm looking around here I don't know  
11 where they are -- sponsored let's go tutor in the school thing.

12 Now, we are not that wholeheartedly generous about it,  
13 because you want to go do that, you take annual leave to go do that.  
14 When I was in the Navy Department we went on government time. I  
15 used to go over to Roosevelt in the District and tutor kids in English.  
16 And we were able to do that at that point in time, a couple of hours a  
17 week on the clock.

18 So, I don't know. I have not looked into this.

19 COMMISSIONER LYONS: Perhaps that can be explored  
20 further. Just in general anything that we could be doing to increase the  
21 interest of students early in that pipeline I think is positive.

1 MR. MC DERMOTT: Everybody is talking about that.  
2 One of my staff was down at the NEI's staffing workshop last week.  
3 And NEI has been talking for a long time about we have to get to the  
4 middle school kids, get them so that they take on science and get good  
5 at algebra, and then build and build and build right through the --

6 COMMISSIONER LYONS: Well, I don't pretend that the  
7 NRC alone is going to solve this issue. But I hope we will do our part.

8 MR. MC DERMOTT: We will be players.

9 COMMISSIONER LYONS: And Ren, you mentioned one  
10 of the programs that I have been particularly interested in, the recruiting  
11 on campuses and I have certainly volunteered to participate wherever I  
12 can be useful on some of the campuses with which I have been  
13 involved.

14 But are you finding good interest from the staff and from  
15 managers in participating on those recruiting teams?

16 MS. KELLEY: I would say that we do. From the  
17 standpoint we can point to a number of instances where we had some  
18 very good success at the entry level in going to universities across the  
19 nation, and particularly, I believe one of the trips or two trips to Puerto  
20 Rico, where we went to college campuses. And those were very  
21 beneficial in terms of identifying and bringing on a diverse group of

1 NRC employees.

2 In terms of making sure that we have in that population of  
3 schools that we go to, that we have a good working relationship with  
4 them before we come and before we come on those trips and do, so  
5 that we are a known commodity and the interest is already there and  
6 we have maybe executives that work with the universities to engender  
7 that kind of interest and share with the students what the agency does  
8 and what the career opportunities are.

9 I believe that would probably enhance the awareness and  
10 maybe even the results of those recruitment opportunities.

11 MR. REYES: Commissioner, let me just add and give you  
12 some numbers. We have been very successful this fiscal year in  
13 recruitment. Our projection is that we are going to be 50 FTE over our  
14 limit in terms of the fee base.

15 We have qualified candidates out there that want to come  
16 to work for us. We cannot hire them because our salaries and benefits  
17 is such a high percentage of the budget that we can't go too much over  
18 our FTE allocation. We have to be cautious with that.

19 But I just want to make the point, we been very successful  
20 in recruitment. We have people who want to come and work for us.  
21 And hopefully, the FY 06 budget will give us some breathing room so

1 we can get more people on board.

2 COMMISSIONER LYONS: Do you want me to stop, Mr.  
3 Chairman? Can I go with one more?

4 CHAIRMAN DIAZ: No, we can wait until the second  
5 round

6 COMMISSIONER LYONS: Okay. Fine.

7 COMMISSIONER DIAZ: We appreciate the briefing. I  
8 keep looking at your slides and hearing the fact that you are changing  
9 and becoming more proactive.

10 Is that something that the No FEAR Act and the new  
11 EEOC requirements actually require, or are we doing that on our own?

12 MS. KELLEY: You won't find those exact words in either  
13 of those. But I think as a result of implementing those two documents  
14 and our own Comprehensive Diversity Management Plan, it's brought  
15 about a shift for this office and our interactions with the agency. And I  
16 believe that's been a positive thing in terms of not that we are focusing  
17 less on our requirements to process complaints, but what it does is it  
18 enables us to get ahead of conflicts and issues, communication boggles  
19 in the work place that puts the agency in a better position to resolve  
20 those matters before they get out of hand.

21 CHAIRMAN DIAZ: So that's what you mean by being

1 proactive rather than just being active?

2 MS. KELLEY: Yes.

3 CHAIRMAN DIAZ: Trying to get ahead of the curve --

4 MS. KELLEY: Absolutely.

5 CHAIRMAN DIAZ: Either predict, estimate or find what  
6 issues are and start to put solutions on the line?

7 MS. KELLEY: Yes. And putting in place systems that  
8 address and linking -- embedding those principles in key systems.

9 I would put that in a proactive inter-connectivity and  
10 integration category as well.

11 CHAIRMAN DIAZ: We have received no guidance yet on  
12 the implementation on the No FEAR Act but I'm sure you are keeping  
13 abreast of it.

14 Do you think that that guidance is going to change the  
15 way we do things in any way?

16 MS. KELLEY: No. What it is, is that OPM will be issuing  
17 implementing guidance that will state specifically how we will report the  
18 results of our activity that's addressed in that Act to Congress and other  
19 organizations that will need to get that information.

20 I don't expect it to change the way we do business in  
21 terms of just the report itself. The Act is already there. And the impact

1 of the Act we are already seeing in terms of information being put in the  
2 public domain, EEOC is putting information out on the web that they  
3 didn't used to do. We have to put information out on the web. We are  
4 already posting that information.

5 There is just a greater sense of accountability, whereas at  
6 one time, information or performance of Federal agencies was  
7 something that that agency and probably EEOC knew. And now, more  
8 information will have to be issued to various congressional committees  
9 and OPM will be providing the implementing guidance.

10 CHAIRMAN DIAZ: The guidance will mostly affect the  
11 way we report things, not the way we do things?

12 MS. KELLEY: Absolutely.

13 CHAIRMAN DIAZ: On the CDMP, I'm sure you are  
14 tracking it and probably this fall you will have an assessment of how the  
15 agency is responding to it and the effectiveness of it. I do expect that  
16 that will be a very significant assessment that we will take very  
17 seriously.

18 I have one recommendation. If you could get that  
19 assessment to us at least a couple of weeks before the meeting, so we  
20 can sink our teeth into it and be able to ask the right questions, it would  
21 be quite appropriate.

1                   Going to issue of contracts. Where do you think our  
2 contracts do more in the small business activity? In what area are we  
3 finding the majority of the contracts for personnel business? Is it very  
4 small? Is it very large? Is it a significant part of our contracting, a small  
5 part? I really don't have a good idea of that.

6                   Do you have any information on how we are doing?

7                   MS. KELLEY: To make sure I understand, you are asking  
8 where are we successful in finding --

9                   CHAIRMAN DIAZ: Are we issuing many contracts in the  
10 \$100,000 range, half million dollar range and how many of those do we  
11 have?

12                   Does that mean a small type of activities? Are we then  
13 focusing in on the right areas for small business?

14                   MS. KELLEY: I would say that there is a good mix in  
15 terms of the range. We have -- a lot of the contracts are on the small  
16 end. But we do have some that go into the millions of dollars for  
17 multiple years.

18                   Those tend to be more of the either IT, we have had some  
19 IT contracts that hit that. We have also had some in the technical area  
20 that are into the multiple millions of dollars over multiple years.

21                   We have had greater success in identifying small

1 businesses for IT type work and for admin type work. We have had  
2 good success in those areas. And as I mentioned, we have had some  
3 success with technical work as well.

4 But that does pose a little bit more of a challenge for us.  
5 But we are responding to that challenge.

6 CHAIRMAN DIAZ: Is that an area where we really want  
7 to do more in the technical area for small businesses?

8 MS. KELLEY: I would say that it is because at one time,  
9 the technical offices, if I may just say this, that there probably was a  
10 mind set that small businesses could not do that type of program work  
11 in the technical areas. They were viewed as kind of mom and pop  
12 operations that pull people off the street in order to respond to a  
13 contract.

14 But that has certainly changed. The small businesses  
15 that we have done business with in the technical area have done a very  
16 good job of demonstrating and discussing and providing information on  
17 their technical capabilities and the program offices have not rolled over.  
18 They have been very intense in terms of their probing and making sure  
19 that these companies can perform.

20 And so that has been the real test in terms of the program  
21 offices being impressed and willing to invest that particular effort with

1 small business.

2 CHAIRMAN DIAZ: Commissioner Merrifield.

3 COMMISSIONER MERRIFIELD: Mr. Chairman, I  
4 appreciate the sentiment of your comments. As I was reviewing these  
5 materials, I had some questions about what we do with small business  
6 as well, not to increase the Ren's reporting requirements, which are  
7 already, I can tell, quite extraordinary, even the presentation.

8 I think it will be useful, given the oversight we have been  
9 doing on budgetary matters, to get a little more detail regarding the type  
10 of contracts that we let in the small business area.

11 I would also say in alignment with that, Slide 15 talked  
12 about the fact we have achieved four of the six goals for small business  
13 activity. I would actually like to know that the rest of the goals are,  
14 because I don't really know. I don't think, I may be wrong, I don't think  
15 they were attached to the briefing.

16 I think that would be some information that would be  
17 useful for us to educate ourselves.

18 CHAIRMAN DIAZ: Okay. Commissioner McGaffigan?

19 COMMISSIONER MC GAFFIGAN: Thank you, Mr.

20 Chairman. I will stay on the contract thing just for a second.

21 The issue of what is a small business contract. if I have a

1 small business and I do what you have suggested the staff may believe  
2 gets done, I contract with Science Tech, SAIC or Booze Allen or  
3 something for basically all the work. Is that counted? Does to entire  
4 contract count as a small business contract? Or does the G&A  
5 overhead that is extracted by the small business in order to bang shot  
6 to the big business, is it only the little part that counts as a small  
7 business contract?

8 MS. KELLEY: If it is a subcontract, then it would be  
9 subcontracting but it does not count, unfortunately. SBA does not --

10 COMMISSIONER MC GAFFIGAN: But if it is to a small  
11 business, basically mom and pop shop is the word you used, and they  
12 in turn contract with the big business to provide the work, does that -- I  
13 mean, I saw a contract recently \$1.4 million and for 6,000 hours of work  
14 which makes these people very expensive, over \$500 an hour.

15 That counts as a small business?

16 MS. KELLEY: Yes.

17 COMMISSIONER MC GAFFIGAN: That's something for  
18 Congress to address. I think this whole area is too much of that stuff  
19 that goes on. And it does not change anything. It just changes --  
20 provides additional inefficiencies in the process.

21 I may sound like somebody -- the other comment I will

1 make before I ask a question is the proliferation of plans that have to be  
2 aligned and RBs, review boards that have to do all this stuff.  
3 Somehow, Franklin Roosevelt, Dwight Eisenhower, and whatever  
4 managed the government without all these plans. And I think they  
5 created whole layer of bureaucracy -- and I personally don't see lots of  
6 it. I believe they oftentimes have laudable goals. But what I care most  
7 about is safety and security.

8                   And I care about having a diverse work force. But I don't  
9 think I need a plan for everything that everybody has ever thought up  
10 on Capitol Hill, and then review boards to match. I may be getting old  
11 and crotchety or whatever.

12                   But 30 years of federal service, I don't think management  
13 has improved in the Federal service in the 30 years that I been in  
14 government as a result of all these planning efforts and review boards  
15 to manage the plans and integration efforts to integrate the plans and  
16 integration efforts to integrate the integration of the plans. It is not my  
17 cup of tea. I don't spend a lot of the time on it.

18                   Hiring. You pulled out your copy. I pulled out my copy of  
19 the latest Federal Times. Tell me about this issue of category rating?  
20 Are we going there, or are we one of the --

21                   MR. MC DERMOTT: No. We went there in 1956.

1 MR. REYES: We invented it.

2 CHAIRMAN DIAZ: We were not born at the time.

3 (Laughter.)

4 MR. MC DERMOTT: No. I was in a meeting where Ron  
5 Sanders announced he had invited category rating at the IRS just a  
6 couple of years ago.

7 NRC adopted from AEC category ranking. We have  
8 never done it any other way.

9 COMMISSIONER MC GAFFIGAN: Okay. Well,  
10 congratulations. It's rule of three we don't use.

11 MR. MC DERMOTT: No. No.

12 COMMISSIONER MC GAFFIGAN: That gets one thing  
13 out of the way.

14 Hiring. Ren mentioned that opportunities are often  
15 short-lived, which I think is a very politically correct way to put the  
16 inefficiencies in our hiring process.

17 As we look ahead the next couple of year, we are going to  
18 hire probably 300 people a year, possibly more. But, 7% retirement  
19 rate, we are expecting something like that, which means you are in the  
20 200, 210 just to replace staff. And then if we have Yucca Mountain, we  
21 have the nuclear renaissance and advance reactors. There's lots of

1 other people that are going to be hired in addition to replacements.

2 That means -- say, we are at 3,400, 3,600 people, that  
3 means that a quarter of our staff in 3 years for sure is here at the  
4 agency less than 3 years. And perhaps a third of our staff, depends on  
5 what Congress does, in term of giving us budgetary resources to deal  
6 with these things.

7 How are you going to hire 300 to 400 people a year with  
8 the current system?

9 MR. MC DERMOTT: We are not going to do it  
10 successfully with the current system and procedures we have. We  
11 recognize that.

12 The program managers recognize that. They have posed  
13 that question themselves. And I think Ren alluded to it.

14 If there is one thing that needs fixing more than anything  
15 else in our system it is the gap between a hot prospect and the offer  
16 letter.

17 COMMISSIONER MC GAFFIGAN: I agree. That isn't  
18 just for entry. That's for career as well.

19 MR. MC DERMOTT: Any place, all across the board.  
20 That's what we have to fix.

21 We have to stay out of veterans preference jail, which

1 means we have to do a lot of up front work all the time when we do this.  
2 But we are talking to the offices.

3 For example, I have got pretty good consensus that for  
4 entry level hires, we are going to centralize that at the office level.  
5 There will be a team of people at the top of NRR that will review  
6 entry-level candidates and say, we want this one, this one, this one, this  
7 one. We are not going to farm them out. That's what takes time,  
8 cycling these things through various parts of the organization. And the  
9 offices and the regions will do that.

10 When you are hiring experienced people, you can't be so  
11 cavalier about the fit. You want to make sure you have a good fit. We  
12 are going to try to centralized that about at the division level.

13 One of these seances I was at downtown, there was  
14 universal agreement, gone is the day when you let the immediate  
15 supervisor name his or her poison, no matter what and take their time  
16 about doing it. It can't be done. Different agendas are at work. You  
17 will never get there if you do it that way.

18 You have got to listen to your immediate supervisors but  
19 you pick people much more rapidly.

20 COMMISSIONER MC GAFFIGAN: One of the points I  
21 would make, since this is an EEO briefing and then I will return for the

1 second round of it, the opportunity to have a quarter to a third of your  
2 work force that's 3 to 4 years here is a tremendous burden. But it  
3 also -- many of the briefings that I was at when I first got here, we were  
4 talking about flat budgets, declining budgets and how do you change  
5 anything.

6 Well, you have an opportunity the next several years, if  
7 there is an nuclear renaissance and if we can get a Yucca Mountain  
8 application, to have a very significant change in the composition of our  
9 work force.

10 They are going to have to mentor them and train them.  
11 They have to accept the productivity declines that will come with having  
12 less experienced people replacing our folks that who have stuck with  
13 us, amazingly in many cases, for well into their retirement opportunities.

14 But this place really should have changed in terms of  
15 diversity if the feeder groups are there by three or four years from now.

16 CHAIRMAN DIAZ: Thank you.

17 Commissioner Merrifield?

18 COMMISSIONER MERRIFIELD: Thank you, Mr.

19 Chairman.

20 Let's start off with a few comments. The first one to the  
21 EDO. I think the change that we made to have you provide direct

1 oversight to SBCR is a positive one. I think it is having good results.

2 I want to associate myself with some of the other  
3 comments made about yield. If we are going to be sending people out  
4 into the field to conduct recruitment, we ought to make sure that we get  
5 the resumes back, we get them into the system, we get folks hired.

6 I have had too many people come up to me with members  
7 of our staff expressing frustration. We had great candidates, we  
8 interviewed them and I don't know what happened to them. That is  
9 really got to get fixed.

10 I guess the first issue I want to go to is relative to the No  
11 FEAR Act. At the end of the day, I think what this is intended to do is to  
12 ensure that we have a work place environment in which individuals can  
13 come here, lead productive lives for themselves and for the agency  
14 without the fear of discrimination. And that's something that I think all of  
15 us have a responsibility and an impact on making that happen.

16 The way that the No FEAR Act is written also engenders  
17 some penalties for the agency. Agencies that lose or settle  
18 discrimination in whistle-blower cases must pay judgments out of their  
19 individual budgets. That is a meaningful issue.

20 Now, we are fortunate. We don't have a lot of that here at  
21 the agency. But were we to, that is a tool that would affect all of us,

1 because it means that fewer resources available to do the health and  
2 safety mission that we do.

3 And so I think not only do we all have a role in the quality  
4 of the work place, but there is a financial trigger there as well I think we  
5 need to be mindful of.

6 I had an opportunity to look -- it was not in the briefing  
7 book and I would suggest next year, perhaps, it should be. I actually  
8 pulled off the discrimination activity that we report on in the No FEAR  
9 Act. It thought it was noteworthy.

10 One of the issues I think got my attention the most was  
11 the issue of timely EEO counsel. In the report for our EEO program  
12 status report, we noted that that was an area where we had an issue.  
13 That was our part H.8 report.

14 In looking back at some of the statistics. For complaints  
15 in the investigative state, and we have three of those right now. The  
16 average number of days on those is 369.

17 Looking back -- and, of course, this is two years ago, and  
18 I think that predates you, Ren, but we had four complaints. The  
19 average days pending prior dismissal was 995. And I'm not certain  
20 whether that's an anomaly or not, but 995 days pending prior to  
21 dismissal.

1                   Can you talk a little bit about these statistics and what we  
2                   are doing to improve?

3                   MS. KELLEY: Timeliness in complaints processing is an  
4                   issue. And the statistics have direct bearing to not having really the  
5                   sufficient staff to meet the standard in terms of the timeliness of  
6                   complaints processing.

7                   There are a number of things that impact that. And I  
8                   would say the primary one is, as I just mentioned, however, the  
9                   complexity of a case, whether there were multiple amendments to a  
10                  complaint, whether there were attempts to resolve the issues through  
11                  ADR and maybe you had negotiations underway. There are a number  
12                  of things that would contribute to the time line. But that is one of the  
13                  things that we are looking at and that we are trying to improve on in  
14                  terms of the timeliness of complaints processing.

15                  I believe you mentioned the informal process and the  
16                  formal process. We have a focus on both of those. And that was one  
17                  of -- they were certainly issues that surfaced as a result of that  
18                  self-assessment.

19                  But basically right now we have two people devoted to  
20                  that effort. And we have a very hefty contacts process that those never  
21                  come into the formal or informal complaint processing.

1                   We handle probably 150 of those on the average in a  
2 year's time. Time devoted to those efforts that really keep complaints  
3 from coming into the process, takes time away from those that are in  
4 the process, but it is certainly very necessary, because if someone  
5 walks through the door and they need time and attention right then and  
6 there, we give it to them.

7                   And usually, there's a series of meetings that would take  
8 place after that initial session. But basically, it is an area of focus for us  
9 right now and staff would be the most key part in terms of turning those  
10 statistics around.

11                  MR. REYES: Let me add to that. We included in the  
12 fiscal year '07 budget that you have in front of you resources to solve  
13 this problem. So we need your support in the budget to solve the  
14 problem.

15                  COMMISSIONER MERRIFIELD: Every time I meet with  
16 him lately, it like Luis Message No. 2, please support us in the '07  
17 budget. I appreciate it.

18                  MR. REYES: But it is a workload issue and I think if we  
19 can add to that, the more you do pro-actively, the more resources you  
20 spend and you can track it as a formal complaint.

21                  So, we have an inversely proportional metric, the better

1 you do with preventing issues, because you deal with them at a low  
2 level and you get the people together in an informal manner, the more  
3 resources you spend, the less formal cases you have, you are better  
4 off, but the metric we have right now will tell you the opposite.

5 We have talked about how to do some metrics to show all  
6 the contacts that they get just to show we have more contacts and they  
7 don't transfer to formal complaints, to try to show both metrics, because  
8 I could not show you all the efforts we are doing with just the formal  
9 cases. It would not support the request I'm asking for you on the  
10 budget. It just couldn't.

11 COMMISSIONER MERRIFIELD: I have more, but I will  
12 save those for the second round.

13 CHAIRMAN DIAZ: Commissioner Jaczko?

14 COMMISSIONER JACZKO: I want to follow-up on a  
15 couple of questions that have been asked but just a few more issues  
16 with those.

17 The first one, Jim, I think you mentioned this one or  
18 maybe, Ren, you did about the gap between when we find a good  
19 person and when the letter goes out.

20 What kind of gap are we taking about?

21 MR. MC DERMOTT: It can be six, eight weeks or more,

1 where people are diddling with the selection. And sometimes the  
2 resource issue, if I hire this one, I can't hire that one.

3 You have got to not do that.

4 The other extreme, the gap between the interview and the  
5 decision and the letters which is approximately 60 seconds, because  
6 we had the letters ready and this was down in --

7 MR. REYES: I was there, so we fixed it right on the spot.

8 (Laughter.)

9 MR. MC DERMOTT: I was the typist.

10 COMMISSIONER MC GAFFIGAN: Are you going to  
11 become our chief recruiter?

12 MR. MC DERMOTT: Yes. Absolutely. And I am the  
13 typist. He would nod, I finish the letter, in their hands, and they said  
14 yes. They came and they stayed.

15 MR. REYES: Just to give you a personal example.

16 My daughter got a job offer a year before graduation.  
17 They went to the college, they interviewed her at the college like  
18 Thursday or Friday. The following week she had an interview in the  
19 company. And right there, he said we will call you tomorrow with a  
20 answer, she stopped interviewing. They didn't want to see anybody  
21 else.

1                   So if you talking about the top, the cream of the crop of  
2 the class, if you don't act right away, they are going to be taken.

3                   COMMISSIONER JACZKO: Is this a problem with  
4 mid-career hires as well? Is there a similar issue or is that not as much  
5 as a factor?

6                   MR. REYES: I don't think it is as severe. But there are  
7 always delays. So the more you can tell the person that's looking for a  
8 job -- obviously, they contacted you or you contacted them. The more  
9 information you can give them and the quicker you make your decision,  
10 if they are that good, they are getting offers from other places. So it is  
11 matter hitting it first.

12                  COMMISSIONER JACZKO: One other question on this.  
13 How much does security reviews and clearances factor into that? Is  
14 that an issue at all?

15                  MR. MC DERMOTT: You know, we have always said that  
16 is the deal breaker. But it's not.

17                  MR. REYES: After the fact.

18                  MR. MC DERMOTT: Once we have set the hook, the  
19 security, it takes two weeks, takes four weeks, we don't care. They are  
20 come to work for us. We have got them. So I don't worry about that.

21                  MR. REYES: I would support that. The real issue to me

1 is up front. Once an individual has our clear intention through a letter  
2 that says we intend to give you a job offer, right away that makes a big  
3 difference.

4 If you don't have that in hand, you entertain other offers.  
5 And if you get attractive offers, you move on. You can't wait forever.

6 COMMISSIONER JACZKO: The other question I want to  
7 follow up a little bit more on is something Commissioner Lyons raised  
8 with the issue of -- and Ren, you mentioned this, that there is a limited  
9 diversity in the applicant pool. It's almost a similar question to what I  
10 asked here.

11 Does that exist at both the mid-career hires as well as  
12 entry-level hires? It seems like we have a lot of programs in place or  
13 think of ideas in place on how to address this with the new hires. But if  
14 it is a problem with kind of the mid-career people, how do we address it  
15 at that level, if at all?

16 MS. KELLEY: It is more of a problem at the mid-level  
17 than it is at the entry level. We do a lot better when you go to the  
18 universities and what have you in terms of there would be a  
19 professional development program that we have to bring people in, that  
20 group is usually pretty diverse.

21 At the mid-level -- and I will go back to something that we

1 have talked about earlier and that is when we go out on the recruiting  
2 trips -- and I have gone on one. And at that particular recruiting trip,  
3 there were people at the mid-level of all groups. It was the National  
4 Association of Black Engineers, but there were, all groups were  
5 represented at that particular conference.

6 And there were individuals who stopped by our table who  
7 were -- who had worked -- a couple I can remember had worked many  
8 years at a nuclear power plant, one in particular, 13 years of  
9 experience. So that was a mid-level individual that was quite  
10 impressive and was very interested in coming to work for NRC.

11 There were -- those numbered more than just in the single  
12 digits. There were, probably, a hundred or so of those individuals that  
13 fit that category.

14 So that is one way to capture those individuals because  
15 they are not at your universities, and working -- I mean, they are at  
16 other job sites, you might you say. But that is one way that we could  
17 increase the applicant pool through outreach at that same recruiting trip  
18 that we have talked about before because they do attend those  
19 universities if they are job seeking -- I mean, those the types of  
20 conferences and job fairs or what have you.

21 I would say that we don't want to ignore the staff already

1 on board and making sure that they are fully developed, that they are  
2 given opportunities, that they are -- their careers are enhanced through  
3 training, rotational assignments, or whatever is needed; high visibility,  
4 opportunities before key managers in order so that they can move up  
5 through the ranks and be those mid-level and senior-level employees to  
6 increase the diversity of that pool.

7 COMMISSIONER JACZKO: Can I do one more? Oh, we  
8 do a second round.

9 CHAIRMAN DIAZ: We are going to do a second round.  
10 Commissioner Lyons.

11 COMMISSIONER LYONS: One question, to some extent  
12 following up on what Commissioner Jaczko was just asking.

13 But there have been several references to the importance  
14 of entry-level hiring and the expanded diversity of the pool that's  
15 available at the entry level. There were some numbers that I saw just  
16 recently that I wanted to at least bring up and ask you if we're seeing a  
17 bit of a concern here. This was the entry-level hire ratio for the agency  
18 as a whole.

19 In 2002, 41% of the 184 that we hired were entry level.  
20 So 41 percent struck me as a really impressive number. But in 2003,  
21 that number was 27%. In 2004, the number was 22%. And in 2005 as

1 far as we are into the year, it was 10%.

2 So, just based on this limited information, while -- well,  
3 actually the number of hires has gone up each year, the percentage of  
4 entry-level hires has been dropping and actually dropping fairly  
5 precipitously.

6 MR. REYES: Let me talk about goals. That year that we  
7 had a very high number, we realized that we overdid what we wanted to  
8 do because you want to keep them. And so we found that our training  
9 system was overloaded, the supervisors were overloaded and could not  
10 give them the amount of time for coaching and mentoring.

11 So we settled on a 25% goal average over three years.  
12 And that's what we have been shooting for. That on a rolling,  
13 three-year average about 25% of our work force should be entry level.  
14 That seems to fit well with our training workload, the supervisory  
15 face-to-face time, coaching, mentoring, et cetera, et cetera.

16 This year, we basically had to stop recruiting because of  
17 this budget issues that I talked to you about. When that caught us in  
18 the middle of the year, some offices had hired entry levels first, so they  
19 couldn't hire experienced people. Some people can hire experienced  
20 people and not hire the entry level

21 So this year is an anomaly in terms of the situation we

1 found ourselves in with the budget. But our goal should be 25% on a  
2 three-year average.

3 That's what we are shooting for, Commissioner.

4 We think we can make it and we think that is a good  
5 manageable, because we want 80 percent of those that we bring in to  
6 stay with us past the three years. That is the other metric.

7 COMMISSIONER LYONS: Oh, certainly. They need to  
8 be retained.

9 MR. REYES: Retained. So all the studies that you are  
10 looking at say that retention is really effective by how that person is  
11 treated by the first supervisor, first-line supervisor. And we were having  
12 problems that year we brought a lot of people on.

13 COMMISSIONER LYONS: So is there hope that as this  
14 year progresses, we will see that 10% number back up?

15 MR. REYES: We are not hiring anybody else. We are  
16 broke.

17 COMMISSIONER LYONS: So that's true for this whole  
18 year?

19 MR. REYES: What we are going to do is, this Thursday,  
20 June 30th, is the third quarter of the fiscal year. We are going to  
21 balance the checking account, find out how much money we have, and

1 we are going to come to the Commission, if there is additional funds, to  
2 request to let us recruit more people. But right know, we are on hold.

3 And I can go into a long explanation how we got here --

4 CHAIRMAN DIAZ: No, no, don't do that.

5 (Laughter)

6 MR. REYES: I have a periodic with you this afternoon I  
7 will tell you the story.

8 CHAIRMAN DIAZ: All right. On the issue of what I called  
9 the basis of the EEO, we really want to have everybody in the NRC  
10 being close to be on the same page. And in a number of years past,  
11 we were looking at how many people have actually gone to the EEO  
12 training. And this year, I think we are at the non-SES category. That's  
13 where we have to do a little better.

14 Could you just mention what are we doing to make sure  
15 that non-SES actually do have the right EEO training? Is that a  
16 problem? Why is that a problem? What is happening?

17 MS. KELLEY: Well, we have a training requirement to  
18 train all employees in their rights and responsibilities and to  
19 discrimination laws as required by the No FEAR Act. And we are  
20 identifying a tool to make that happen.

21 OPM has come out with a requirement for that to happen

1 by September 30th. And so that will be training that we hope to put on  
2 desk tops, computer-based training that all employees will be required  
3 to take.

4 We will continue to have our focus on supervisory and  
5 manager training in that area because that's a different kind of training  
6 that they need to have. It gives them increased sensitivity for their  
7 unique role. And it is not just their own rights and responsibilities, even  
8 though they get that as well.

9 So we are continuing to provide the supervisory manager  
10 training, for new supervisors that is a two-day course, and also, the  
11 refresher training as we need to.

12 CHAIRMAN DIAZ: Okay. Commissioner McGaffigan?

13 COMMISSIONER MC GAFFIGAN: We are obviously in a  
14 competition for people, for licensee folks, who we would like to come  
15 work for us in mid-career. Are they fully aware of Federal health  
16 benefits, life insurance benefits, and some of the things they can take  
17 with them? Because obviously, there is fair number of people who  
18 thought, in the airline industry, for example, or other industries, that  
19 they are going to have health benefits. And they are rapidly discovering  
20 that they are not.

21 Are we so bold as to tell somebody who is perhaps in their

1 40's and maybe who has affordable pension from his system and is  
2 worried about health benefits that this is a good thing for you to do?

3 MR. MC DERMOTT: There is probably nothing that we  
4 won't stoop to.

5 (Laughter)

6 COMMISSIONER MC GAFFIGAN: I don't think that is  
7 stooping. The industry, I don't think, is going to play fair in stealing our  
8 people. I haven't noticed it.

9 MR. MC DERMOTT: In the middle of our paper, it talks  
10 about here is how you sell, and they talk about those things, the  
11 benefits and all those things that we sell.

12 In fact, we have a new tool. If you spent all your time in  
13 private sector but you have been working as an engineer or something,  
14 we can set you leave accrual on the basis of that time worked. So if  
15 you have put in 20 years, you come in, we say no problem, we will give  
16 you 26 days of leave plus ten federal holidays.

17 COMMISSIONER MC GAFFIGAN: Now you have got the  
18 Chairman worried.

19 (Laughter)

20 COMMISSIONER MC GAFFIGAN: You use every tool in  
21 the tool box?

1 MR. MC DERMOTT: Yes, we do. We really do.

2 MR. REYES: Legal and illegal.

3 COMMISSIONER MC GAFFIGAN: I hope they are all  
4 legal. Let the record be set.

5 I saw something in "Inside NRC" about Mr. Borchardt  
6 mentioning that we have a legacy project, essentially, the senior  
7 employees about to retire get -- like the 17 out of our 22 structural  
8 engineers who are over 55 get asked a bunch of questions about why  
9 they did something the way they did so that we can pass it on.

10 Is that really alive? I never seen it in budget space. Is  
11 that something we do occasionally?

12 MR. MC DERMOTT: It's in an incubator in the nursery  
13 more than anything else. These are our first steps at getting robust  
14 knowledge management, knowledge transfer things really up and  
15 running. And we have only done a few where we do some interviews,  
16 we try and -- first of all, we have to figure out the right questions.

17 The answer is it's begun. It still needs a lot of work.

18 MR. REYES: But we have things like lectures that those  
19 individuals have prepared and we have videotaped them. And now we  
20 have them archived.

21 But where we are is we are doing it in batches and it is not

1 integrated through the agency and that's where we are heading. We  
2 are trying to make it formalized so it's not Bill Borchardt taking the  
3 initiative with a group of individuals and another office is doing -- we are  
4 trying to elevate it.

5 But you have to walk before you run. So we can't let them  
6 walk out the door. So while people --

7 COMMISSIONER MC GAFFIGAN: That's really a  
8 bite-sized question. The time -- you mentioned, Luis, the time for  
9 mentoring and training folks is burdensome with the younger folks. I  
10 don't think it is any less burdensome with the mid-career folks, to be  
11 honest with you.

12 They may have a little bit more engineering knowledge,  
13 but they have to figure out what NRC does. And it takes a while.  
14 Somebody who came here mid-career, it took a while to become  
15 effective.

16 I do think as a Commissioner -- but I think that has to be  
17 the case whether you are 40 or 25.

18 MR. REYES: But let me give you an example. We hire  
19 somebody who has an engineering degree, an SRO license, who has  
20 been a shift manager at a utility.

21 We bring them in to be an examiner, operator examiner.

1 With a little bit of training on NUREG 1120, they can give exams before  
2 too long, with some coaching and mentoring. If you bring in entry level,  
3 you could not do that.

4 So there some difference. I agree with you that --

5 COMMISSIONER MC GAFFIGAN: Structural engineers  
6 you bring in to handle the nuclear renaissance to replace the 17 people  
7 who are 55 and older out of our 22. They are not going to be as  
8 effective as the structural engineers we have today for some period of  
9 time, whatever age they are.

10 MR. REYES: I really do believe if they come from  
11 industry and they are the ones that wrote the submittals to us, it is a  
12 much easier, because, now, they are asking the questions, better  
13 questions to ask.

14 CHAIRMAN DIAZ: Intentions of raiding the industry in  
15 here.

16 COMMISSIONER MC GAFFIGAN: Well, I think we are  
17 going to. A body of people who are trained to do NRC work is a fixed  
18 body.

19 CHAIRMAN DIAZ: Thank you, Commissioner  
20 McGaffigan.

21 Commissioner Merrifield.

1                   COMMISSIONER MERRIFIELD: Speaking of raiding, we  
2 have folks who leave the agency for a variety of reasons, many of them  
3 through retirement. Others having other opportunities in their careers.

4                   Rarely, there is some in that group who perhaps  
5 sometimes we would like to see them go. But the vast majority of them  
6 are people who we are sorry to see leave.

7                   What do we do, if anything, about tapping into our alumni  
8 network and enticing them to come back to work for us if we think they  
9 are good people?

10                  MR. MC DERMOTT: We send them on their way with  
11 hope that they will stay in touch. We were talking about --

12                  MR. REYES: We have an example. An individual has  
13 some personal reasons why he is leaving. He was told by his  
14 supervisors and the senior managers of the organization to say we  
15 understand your personal situation but remember, if the situation  
16 changes, we would like to have you back. We think very highly of you.

17                  And it is about the best you can do when it is for personal  
18 reason, kind of family situation. We try to keep in touch with them.

19                  There are other individuals that we call them back after  
20 some time and say, are you still happy? You want to come back?

21                  Informal things like that, we do.

1                   COMMISSIONER MERRIFIELD: It makes me wonder. I  
2 don't know how big a set of folks this might be, but if we did some data  
3 mining of our own personnel records, there may be in a bit more of a  
4 formalistic sort of way, there may be some utility in trying to see if we  
5 can entice some of those folks back.

6                   MR. REYES: We will give you some numbers on our  
7 attrition.

8                   MR. MC DERMOTT: Oh, I know the numbers off the top  
9 of my head on attrition.

10                  MR. REYES: It is mostly retirements. We have very few  
11 in the other category.

12                  But I think you're right, we should continue to contact  
13 them and see if they are willing to --

14                  MR. MC DERMOTT: You were talking earlier about  
15 mid-level hiring. The most effective outreach for our mid-left hires is  
16 word of mouth from somebody we have already hired.

17                  Once you get the first link of the chain in here, they bring  
18 in associates or at least they contact associates. They deliver the  
19 message about, hey, life is good at the NRC. And that is very, very  
20 helpful.

21                  It is the second most prolific source of applications. The

1 first one is the web. But second to that, word of mouth from current  
2 employees.

3 COMMISSIONER MERRIFIELD: Second and last  
4 question is looking through the statistics on the No FEAR Act. And  
5 overall, I think along the lines of what you mentioned earlier, Ren -- I  
6 mean, I think statistically, these look pretty good on paper in terms of  
7 the numbers we have and where people are coming from.

8 There is one that sort of popped out at me in 2004 that  
9 seemed a bit of an anomaly in terms of an uptake. And that was the  
10 issue of promotion, non-selection where we went from having none of  
11 those in 2003 to 11 of those in 2004.

12 Now, recognizing those are probably still in the mix and  
13 whatnot, is there anything generally you can comment about in that  
14 particular one as to why they were heading in that uptake?

15 MS. KELLEY: It went from --

16 COMMISSIONER MERRIFIELD: It went from zero in  
17 2003 to 11 in 2004. Recognizing in previous years, it had been in the  
18 six or seven range.

19 MS. KELLEY: Well, that category is one that surfaces  
20 after almost every rating period. Or promotion, non-selection is what  
21 you said?

1 COMMISSIONER MERRIFIELD: Promotion, non-  
2 selection. Yes.

3 MS. KELLEY: That is a pretty common category. And  
4 zero in 2003 is a little bit interesting but I assume that the statistic is  
5 correct.

6 I don't really know the reason or what would have  
7 contributed to that. Whether the agency didn't have as many -- I guess  
8 we did make promotions in 2003 as we did in 2004.

9 Why that would have surged like that. That is a common  
10 category.

11 COMMISSIONER MERRIFIELD: I guess it sort of raises  
12 the question, we do provide this information and I do have a much  
13 greater sensitivity given this briefing with the materials you gave us  
14 about how much you and your staff have to do in terms of reporting.  
15 You know, there are a lot of reporting you have to do statistically on  
16 these issues.

17 But I think it is worthy of perhaps going ahead and taking  
18 a look at some of this data and saying is there anything we can take  
19 from it? Are there any anomalies, anything we need to be concerned  
20 about? That one certainly caught my attention.

21 CHAIRMAN DIAZ: Thank you.

1 Commissioner Jaczko?

2 COMMISSIONER JACZKO: A little bit on some of the  
3 surveys.

4 One question, you mentioned on the OPM human capital  
5 survey that our response rate was about 63%, which I think is probably  
6 good. But how do we get that number higher? It would be nice to see  
7 80%.

8 Does it take too long to complete the survey? Do you  
9 have information on why people don't respond to these surveys?

10 MR. REYES: No. But I think the only way to do it is to try  
11 to remind the staff. They get a lot of surveys from a lot of sources. And  
12 they are real busy people working sometimes after hours to get projects  
13 done, et cetera, et cetera.

14 And I can tell you because I get a lot of surveys. Today I  
15 had to do certain things so I put it on hold and I forget. So we just need  
16 to remind them, the more they participate, the more insights we get and  
17 the more management can take action to resolve any concerns that are  
18 there.

19 We have done that in preparation for the IG survey, trying  
20 to get as much intelligence as we can. If you participate, we will hear  
21 your voice kind of message.

1                   COMMISSIONER JACZKO: If I could just ask one more  
2 question on this issue with the human capital survey, one of the areas  
3 that gets to the broader category of diversity.

4                   One of the areas where the NRC response was what I  
5 thought not terribly positive was the issue of creativity and innovation  
6 are rewarded, the answer to that question. Forty-five percent  
7 responded positively. It was a little bit better, I think, on the -- there was  
8 a question, encourage to come up with new and better ways of doing  
9 things. We had a little bit better, about 65% response.

10                  Part of what I think is important for diversity is making  
11 sure that we have diversity of ideas as well as diversity of backgrounds  
12 and experiences. What kind of -- do you work on things like that as part  
13 of your work? Is that part of the Comprehensive Diversity Management  
14 Plan to encourage those kinds of diversity issues as well?

15                  MS. KELLEY: Yes. Absolutely. It is a very core part of  
16 the Comprehensive Diversity Management Plan. That is one of the  
17 messages that we have carried in the meetings that we have had with  
18 the offices, that to the extent that the agency has a diverse group of  
19 employees looking at an issue, trying to solve a problem, you are more  
20 likely to have a successful decision or outcome if you have got a  
21 diverse group looking at it. And therefore, the diversity of views is

1 important.

2                   And we have pointed to the examples of NASA and the  
3 information that they have been so eager to share with other  
4 organizations in terms of their own problems and issues with groups,  
5 pitfalls and with not hearing the lone voice around issues.

6                   And that's important, particularly for safety -- an agency or  
7 an organization with the safety mission, because you can have one  
8 person with the right answer but that may not be the prevailing view.

9                   And so, the diversity of viewpoints that comes about or  
10 your chances are greater of increasing diverse views or ideas and  
11 backgrounds if you have a diverse group of people looking at an issue.

12                   Thank you. But, yes, it is.

13                   MR. REYES: We have monetary awards for suggestions  
14 that got implemented.

15                   I just think that we need to encourage -- management  
16 needs to encourage people to keep bringing more suggestions on how  
17 to do things differently.

18                   COMMISSIONER MC GAFFIGAN: Mr. Chairman, the  
19 NASA example that Ren just mentioned, I think it is very instructive that  
20 Mr. Griffin, who is the new NASA administrator, is desperately trying to  
21 increase his core staff because he -- and becoming much less

1 dependent than NASA has historically been on contractors.

2 I think we are too dependent on contractors, to be honest  
3 with you. But I'm glad to see NASA moving in the direction of having  
4 fewer contractors and more core staff. We would be better off if we  
5 could move that way too.

6 CHAIRMAN DIAZ: Thank you is so very much.

7 I believe at this time, Dale Yeilding from NTU has some  
8 comments.

9 MR. YEILDING: Thank you very much, Chairman and  
10 Commission for an opportunity to make a statement. I will make sure I  
11 keep my comments down to ten minutes, as the collective bargaining  
12 agreement permits.

13 I would like to talk about three topics, two of which have  
14 been discussed here and one new one.

15 First is the Comprehensive Diversity Management Plan. I  
16 looked through this in quite detailed with my trusty yellow highlighter  
17 trying to look at it in the aspect of the employee.

18 Of course, you know, the union represents the bargaining  
19 unit employees. And I was looking through it with the aspect of what  
20 can the employee do and what can the union do to promote diversity?

21 And I looked at -- I'm going to summarize very briefly. A

1 very large plan. And we looked at aspects of the plan to promote hiring  
2 and promotion without discrimination, to fairly assign work to ensure the  
3 more visible projects get assigned to all employees in a fair aspect,  
4 because those are the projects that beef up a resume and permit an  
5 employee more opportunity for promotion. And we look at the diversity  
6 where managers should listen to all people in making their decisions.

7 So all of these aspects are management decisions. And I  
8 was looking through the plan trying to figure out where is the employee  
9 role.

10 There is a small section in here that says the employee's  
11 role is to respect others. So if there is anything that can be done to  
12 more actively identify where the employee can promote diversity, I will  
13 be the first to step up and lead the employee charge on that aspect.

14 But the point I guess I want to make here is the diversity  
15 management plan rests mainly on the shoulders of 12% of the  
16 managers here at NRC. And I support the media blitz to make sure all  
17 other 88% of employees are aware of what's going on here at the  
18 agency.

19 The second topic deals with this mid-level hiring we have  
20 been talking about here. Of course, the union represents existing  
21 employees here. We don't represent the new hires being hired from

1 outside. So the aspect of promoting from within is what the union  
2 advocates.

3 When the merit selection process goes through and an  
4 outside employee gets picked over an existing employee, the first thing  
5 all existing employees do is scratch their head and say, why, with all the  
6 internal experience.

7 So in the agency's attempt to speed up the process, Mr.  
8 McDermott said he wants to stay out of the veteran preference jail, and  
9 I hope he also stays out of grievance jail, because we don't want to  
10 speed up the process such that we inhibit or steam roll over existing  
11 employees' right to compete for all mid-level jobs, because we do have  
12 entry-level employees that are competing for the mid-level jobs. And I  
13 want to make sure the Commission and the agency keep that in mind  
14 for fairness in the merit selection process.

15 The last topic I would like to talk about is dealing with the  
16 reduction of Grade 14 and 15 positions in the goal to reduce the salary  
17 and benefit portions of our budget.

18 Let me just start off with one of the questions that was at  
19 the Commission morning, all employee white tent meeting. The  
20 participants said: Mr. Chairman, is there any truth to the rumor that the  
21 agency intends to downgrade GG-15 technical positions as incumbents

1 leave the agency and fill these positions at lower grade?

2           The EDO -- just some excerpts. It was a long response,  
3 but the EDO said 25% of our employees are at the GG-15 level. There  
4 is so much money expended on salaries and benefits that there is not  
5 too much money left. In fact, our budget is 60% salaries and benefits. I  
6 will add that for 2007. And I will add another note that our salaries and  
7 budget benefits was 50 percent way back eight years ago in 1995.

8           The EDO went on further to say retirements are occurring  
9 and those are opportunities for to us reflect on whether the positions  
10 that are available through that process really deserve for us to pay  
11 those salaries.

12           This is a significant problem when you have more than  
13 60% of the budget just for salaries and benefits.

14           And then, the agency went on to brief the union at the  
15 OMPC meeting with some more statistics and their initiative. And to  
16 summarize, the initiative is in a three to five-year strategy to reduce the  
17 number of GG-14 and 15 positions by 3%.

18           It is not too well publicized but it is publicized now and I  
19 am going to probably issue some network announcements, and I will  
20 just make the following short statement in conclusion here: NTU feels  
21 that the agency should be careful about arbitrarily lowering grades for

1 our employees. Decisions should be based on careful evaluation of the  
2 circumstances.

3 Our agency is highly specialized. There is a very good  
4 reason our staff is high graded and that they have high degrees and  
5 high technical knowledge. Even at Grade 15, much of our staff is paid  
6 much less than their counterparts in the private sector.

7 We have staff who are recognized experts in their field.  
8 Surely, they are not over graded and overpaid.

9 Studies acknowledge that the pay gap is not closed  
10 between the private sector and the government pay as documented by  
11 the Federal Employee Pay Comparability Act that Congress has had in  
12 effect for ten years.

13 As for getting the same skills and knowledge at different  
14 cost, the fact is that they are more expensive elsewhere. Our  
15 experience with contracting for services is that they are more expensive  
16 and create large overhead expenses for overseeing the contracts.

17 It is difficult to maintain control over costs once the  
18 contract has been awarded and to ensure that the quality is maintained.  
19 The greatest asset of this agency is our staff.

20 Stating that we are not worthy of our pay is degrading and  
21 unfair. It is interesting this initiative is has only directed to employees at

1 Grade 14 and above when a large percentage of our agency is at the  
2 SES level. This differential treatment sends a very negative message  
3 to new employees who see more limited opportunities and to our  
4 dedicated staff of long-term employees who see the value to the  
5 agency diminished and disregarded at the highest level of  
6 management.

7 The union has a great deal of experience in dealing with  
8 these types of issues and ideas on how to accomplish our goals without  
9 unfairly targeting one group of employees.

10 Further, all offices are unique and may be able to craft  
11 solutions to the overall issue that suit their particular circumstances.

12 This is a type of issue uniquely suited to partnership,  
13 allowing employees to participate in the decisions that will impact their  
14 future and the overall functioning of our staff.

15 I personally look forward to partnership discussions on  
16 any and all management proposals to reduce the number of Grade 14s  
17 and 15s.

18 Thank you very much.

19 CHAIRMAN DIAZ: Thank you, Mr. Yeilding. I think that I  
20 totally agree with you that our staff is our greatest asset.

21 I can assure you that from my viewpoint, the viewpoint of

1 the Commission, and I'm sure from the management of the agency  
2 from the EDO down, that we will carefully consider every one of the  
3 challenges and opportunities that are here and will be here in the next  
4 few years and will take those actions that are fair and equitable and that  
5 in many way, preserve our best assets.

6 COMMISSIONER MC GAFFIGAN: Mr. Chairman, could I  
7 just add one thing.

8 I think, to defend Mr. Reyes, who is quite capable of  
9 defending himself, there is no individual employee who is going to see  
10 their grade decreased.

11 We talked earlier about a third of the agency three years  
12 from now, certainly a quarter, being new to the agency within the  
13 three-year window.

14 The 17 of our 22 structural engineers that are over 55  
15 today, I hope they are all with us still. I think those people do absolutely  
16 wonderful work. It is unrealistic for me to plan for them to be there. I  
17 suspect a fair number are fairly senior. And if they are replaced by  
18 somebody in their 20's, 30's or 40's, it isn't clear to me -- you can't bring  
19 them in, as the EDO proposes, at a lower grade level given more  
20 promotional opportunities.

21 I started in government at the equivalent of a GS-7, FS-7.

1 It was with two master's degrees. But that is the way the Foreign  
2 Service worked. And I got promoted rapidly. And so I had an SES  
3 salary within five years of being in government.

4 But I don't find -- as I said at the all-hands meeting, I don't  
5 find what Mr. Reyes is trying to do here at all irrational. We probably  
6 can get some of the employees we want. And you have opportunities  
7 for improvement.

8 At the moment, we are an outlier in government I believe  
9 in terms of grade structure and that probably is not sustainable forever.  
10 We have to justify it now.

11 CHAIRMAN DIAZ: I believe we will do the right thing.

12 Mr. Merrifield, you had a comment?

13 COMMISSIONER MERRIFIELD: Mr. Chairman, I just  
14 wanted to make a note.

15 There was an e-mail that came in, cc'ed to the EDO from  
16 Bobby Abu-Eid making some comments regarding progress we have  
17 made in the area of EEOC. And I would like to have those included in  
18 the record of the meeting today.

19 CHAIRMAN DIAZ: Any other comments?

20 If not, I want to thank the staff for briefing the  
21 Commission. This is always an important meeting.

1                   Whether we do it in compact form or in a very thorough  
2 form, it's signifies the importance that the agency puts into the area of  
3 equal opportunity and diversity. And these two issues, by the way, are  
4 not divided. Many times, they are integrated issues, because we do  
5 value our employees and we do value diversity. And I'm sure we will  
6 continue to progress in those areas.

7                   We look forward to a very good meeting in the fall and  
8 some early data that the Commission can chew on before we get in  
9 here. And I'm sure we will have a very good meeting at the time.

10                  With that, we are adjourned.

11                  (Whereupon, the hearing was adjourned.)

12

**From:** Bobby Abu-Eid  
**To:** Janet Lepre  
**Date:** 6/21/05 6:01PM  
**Subject:** Unavailable to Attend the June 28, 2005 EEO Commission Briefing

Janet,

I would like to thank Mr. Reyes for his invitation to attend the June 28, 2005, Commission Briefing on the progress of the agency's EEO and diversity programs.

Unfortunately, I will be **unable** to attend this important briefing due to an official travel, attending and presenting an invited paper at the "EPRI International LLW Conference" which will be held in FL on June 28 - July 1, 2005. Nevertheless, as an Ex-Chairman of the JLMEEOC, I would like to make the following remarks:

"For the past few years, the NRC has made significant progress in the area of EEO under the leadership of Chairman Diaz and EDO leaders, Luis Reyes, Marty Virgilio, and Bill Kane. I would like to thank the agency for giving me the opportunity to serve at the SLS level. I have recently observed numerous NRC employees of different cultural background have been given the opportunity to serve at the SES, SLS, and supervisory positions. The difficult EEO issue which has been facing the agency (e.g., diversity in supervisory and management positions) for sometime is being resolved under the current EDO leadership. I believe, certain EEO committees are not needed any more to monitor or advise the agency on EEO issues because the current Commission and the current EDO leaders truly believe in EEO and actually implementing it."

Thanks once again!

Boby

**CC:** Luis Reyes