



**Memorandum from the Office of the Inspector General**

September 15, 2016

Joseph P. Grimes, LP 3R-C

**REQUEST FOR FINAL ACTION – EVALUATION 2016-15398 – WORK ENVIRONMENT  
FOR NUCLEAR OVERSIGHT**

Attached is the subject final report for your review and final action. Your written comments, which addressed your management decision and actions planned or taken, have been included in the report. Please notify us when final action is complete. In accordance with the Inspector General Act of 1978, as amended, the Office of the Inspector General is required to report to Congress semiannually regarding evaluations that remain unresolved after 6 months from the date of report issuance.

Information contained in this report may be subject to public disclosure. Please advise us of any sensitive information in this report that you recommend be withheld.

If you have any questions or wish to discuss our findings, please contact me at (865) 633-7373 or Gregory R. Stinson, Deputy Assistant Inspector General, Evaluations, at (865) 633-7367. We appreciate the courtesy and cooperation received from your staff during the evaluation.

David P. Wheeler  
Assistant Inspector General  
(Audits and Evaluations)  
ET 3C-K

DDS:FAJ  
Attachment  
cc (Attachment):

TVA Board of Directors  
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OIG File No. 2016-15398



Office of the Inspector General

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# *Evaluation Report*

To the Executive Vice  
President and Chief  
Nuclear Officer,  
Nuclear Power Group

## **WORK ENVIRONMENT FOR NUCLEAR OVERSIGHT**

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Evaluation Team  
Deanna S. Scoggins  
Alina A. Karpich

Evaluation 2016-15398  
September 15, 2016

## **ABBREVIATIONS**

ECP	Employee Concerns Program
NRC	Nuclear Regulatory Commission
QA	Quality Assurance
SCWE	Safety Conscious Work Environment
TVA	Tennessee Valley Authority
VP	Vice President

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MEMORANDUM DATED SEPTEMBER 9, 2016, FROM JOSEPH P. GRIMES,  
TO DAVID P. WHEELER



## Evaluation 2016-15398 – Work Environment for Nuclear Oversight

### EXECUTIVE SUMMARY

#### Why the OIG Did This Evaluation

The Nuclear Regulatory Commission (NRC) expects licensees to establish a safety-conscious environment where employees are encouraged to raise concerns and where such concerns are promptly reviewed, given the proper priority based on their potential safety significance, and appropriately resolved with timely feedback to employees. In March 2016, the NRC issued a Chilled Work Environment Letter for Watts Bar Nuclear Plant. The NRC concluded a “chilled work environment”<sup>i</sup> existed in the Operations Department because of a perception that operators were not free to raise safety concerns using all available avenues without fear of retaliation. As a result of the Chilled Work Environment Letter issued to the Tennessee Valley Authority, we initiated evaluations of the work environments for operators at Sequoyah and Browns Ferry Nuclear Plants and the Nuclear Oversight group. This report summarizes our review of the Nuclear Oversight group which consists of both Quality Assurance (QA) and the Employee Concerns Program (ECP).

#### What the OIG Found

We found the work environment for Nuclear Oversight is not always conducive to raising concerns without fear of retaliation. Most QA employees felt free to raise concerns or problems without fear of retaliation; however, 1 QA employee informed us that although they would report a nuclear quality problem or concern they would not report those problems or concerns to their management. While most QA employees felt free to raise concerns or problems, most ECP employees did not feel free to raise concerns or problems without fear of retaliation. Our interviews with QA and ECP personnel identified issues that could be impacting employees’ willingness to report concerns including: (1) distrust of management, (2) past concerns being overridden or ignored, (3) work being influenced, and (4) QA rotational positions.

According to the NRC’s Policy Statement for Nuclear Employees Raising Safety Concerns Without Fear of Retaliation, “A reluctance on the part of employees to raise concerns is detrimental to nuclear safety.” The Nuclear Oversight group, through the QA function, should provide reasonable assurance that plant safety functions are performed in a satisfactory manner. Additionally, Nuclear Oversight’s ECP is charged with providing an independent avenue for employees to raise concerns.

<sup>i</sup> According to the NRC Inspection Procedure 93100, “a ‘chilled work environment’ is one in which employees perceive that raising safety concerns to their employer or to the NRC is being suppressed or is discouraged and can occur because of an event, interaction, decision, or policy change.”



## Evaluation 2016-15398 – Work Environment for Nuclear Oversight

### EXECUTIVE SUMMARY

With these key roles, it is crucial that employees in Nuclear Oversight feel free to raise concerns without fear of retaliation.

#### What the OIG Recommends

We recommend the Executive Vice President and Chief Nuclear Officer:

- Take appropriate actions to improve the environment for raising concerns.
- Identify opportunities to build trust between management and employees.
- Establish clear expectations for management providing input on Nuclear Oversight work.
- Assess the leadership skills of the Nuclear Oversight management team and provide training as appropriate.
- Determine if changes could be implemented to eliminate independence concerns related to the rotational position process.

#### TVA Management's Comments

TVA management stated they accepted the evaluation conclusions and recommendations provided in the report and provided planned actions to address the recommendations.

#### Auditor's Response

The comments provided by management indicated certain actions will be conducted on an on-going basis. Accordingly, we will check the status of management's planned actions intermittently to assess progress in addressing the report's findings and recommendations.

## **BACKGROUND**

The Nuclear Regulatory Commission (NRC) expects licensees to establish a safety-conscious environment where employees are encouraged to raise concerns and where such concerns are promptly reviewed, given the proper priority based on their potential safety significance, and appropriately resolved with timely feedback to employees. According to the NRC, a safety conscious work environment (SCWE) is an environment in which “employees feel free to raise safety concerns, both to their management and to the NRC, without fear of retaliation.” Retaliation for raising concerns is unacceptable and unlawful. Even a perception that raising concerns has resulted in retaliation can generate a chilling effect among workers that may discourage them from raising concerns.

The Tennessee Valley Authority’s (TVA) Standard Programs and Processes 11.8.4, Expressing Concerns and Differing Views, states that TVA is committed to ensuring a SCWE that encourages employees to feel free to raise concerns and/or offer opinions without fear of retaliation. The procedure sets forth the expectation that all employees have a duty to be aware of circumstances that may pose a threat to the safety and health of the public and TVA employees, to operations, or of circumstances that are unethical, illegal, or in violation of compliance standards. Employees have the right to have their concerns or points of view heard by management when they consider the issue significant and their view differs from a management decision. Differing views may be voiced to any management level at any time. It is TVA policy that every responsible view is valuable and should be heard and appropriately considered in the decision making processes.

TVA’s Nuclear Oversight group consists of both Quality Assurance (QA) and the Employee Concerns Program (ECP). Each nuclear site has a QA group and 1 ECP employee. Additionally, QA has an internal audit group and a vendor audit group.

- **Overview of QA Activities** – QA provides monitoring and assessment of plant activities to ensure they are conducted in a quality manner. According to the Nuclear Operating Model, the QA organization provides management with independent oversight and effective implementation of the TVA Nuclear QA Program and aggressive implementation of standard processes. It has the authority to stop work activities when the quality of such work is not meeting TVA Nuclear requirements, or when it is necessary to protect the safety of personnel or the safety of the plant.

The QA organization performs audits of internal TVA activities and activities of suppliers that provide material to TVA. The audits are intended to provide an objective evaluation of quality-related<sup>1</sup> practices, procedures, instructions, activities and items, and include a review of documents and records. The QA organization also performs assessment and field observation activities. Assessments are used to supplement audits, follow up on previous findings, and verify performance in areas of concern to the nuclear oversight organization or management. According to the Nuclear Operating Manual, QA also performs observations to assess real-time field performance of line organizations.

- **Overview of ECP Activities** – ECP was established to help ensure the SCWE by providing an alternate reporting avenue, independent of the line organization, so that all employees supporting nuclear (including contractors) are free to express safety issues, concerns, or differing views to nuclear management without fear of reprisal. ECP is also responsible for ensuring that management is informed of trends that could impact the SCWE.

In March 2016, the NRC issued a Chilled Work Environment Letter for Watts Bar Nuclear Plant and requested TVA develop a plan of action to address the NRC's findings. The NRC concluded a chilled work environment<sup>2</sup> existed in the Operations Department because of a perception that operators were not free to raise safety concerns using all available avenues without fear of retaliation.

As a result of the Chilled Work Environment Letter issued to TVA, we initiated evaluations of the work environments for operators at Sequoyah and Browns Ferry Nuclear Plants and the Nuclear Oversight group.

## **OBJECTIVE, SCOPE, AND METHODOLOGY**

The objective of this evaluation was to determine if the work environment in Nuclear Oversight is conducive to raising concerns without fear of retaliation. The scope of the evaluation was limited to the perceptions of employees obtained through interviews we conducted during May and June 2016.

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<sup>1</sup> Quality-related is a term which encompasses QA program requirements that describe activities which affect structures, systems, and components. These requirements provide reasonable assurance that the facility can be operated without undue risk to the health and safety of the public. In addition to safety-related structures, systems, components, and activities, the term quality-related encompasses the broad class of plant features covered (not necessarily explicitly) in the General Design Criteria of the Code of Federal Regulations, Title 10, Part 50, Appendix A, that contribute in an important way to the safe operation and protection of the public in all phases and aspects of facility operation (i.e., normal operation and transient control as well as accident mitigation).

<sup>2</sup> According to the NRC Inspection Procedure 93100, "a 'chilled work environment' is one in which employees perceive that raising safety concerns to their employer or to the NRC is being suppressed or is discouraged and can occur because of an event, interaction, decision, or policy change."



To achieve our objective, we conducted interviews with Nuclear Oversight employees using prescribed questions to determine if the work environment is conducive to raising concerns without fear of retaliation. We performed additional follow-up review of documentation and conducted additional interviews to understand the issues identified.

We interviewed a total of 45 Nuclear Oversight personnel<sup>3</sup> as follows:

- Thirty-three QA employees and contractors.<sup>4</sup>
- Four ECP employees.
- Eight management personnel including the Vice President (VP) of Nuclear Oversight, the General Manager of QA, 4 QA senior managers, 1 QA manager, and 1 ECP senior manager.

This review was performed in accordance with the Council of the Inspectors General for Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

## **FINDINGS**

We found the work environment for Nuclear Oversight is not always conducive to raising concerns without fear of retaliation. Most QA employees felt free to raise concerns or problems without fear of retaliation; however, 1 QA employee informed us that although they would report a nuclear quality problem or concern they would not report those problems or concerns to their management. While most QA employees felt free to raise concerns or problems, most ECP employees did not feel free to raise concerns or problems without fear of retaliation. Our interviews with QA and ECP personnel identified issues that could be impacting employees' willingness to report concerns including: (1) distrust of management, (2) past concerns being overridden or ignored, (3) work being influenced, and (4) QA rotational positions.

### **SOME EMPLOYEES DO NOT FEEL FREE TO RAISE CONCERNS WITHOUT FEAR OF RETALIATION**

Our interviews with Nuclear Oversight employees revealed 30 out of 33 QA employees felt free to raise concerns without fear of retaliation; however, 3 out of 4 ECP employees interviewed did not feel free to raise concerns or problems without fear of retaliation. Additionally, 2 out of 4 ECP employees interviewed and 2 out of 33 QA employees did not feel free to raise all nuclear safety, technical, or quality concerns without fear of retaliation.

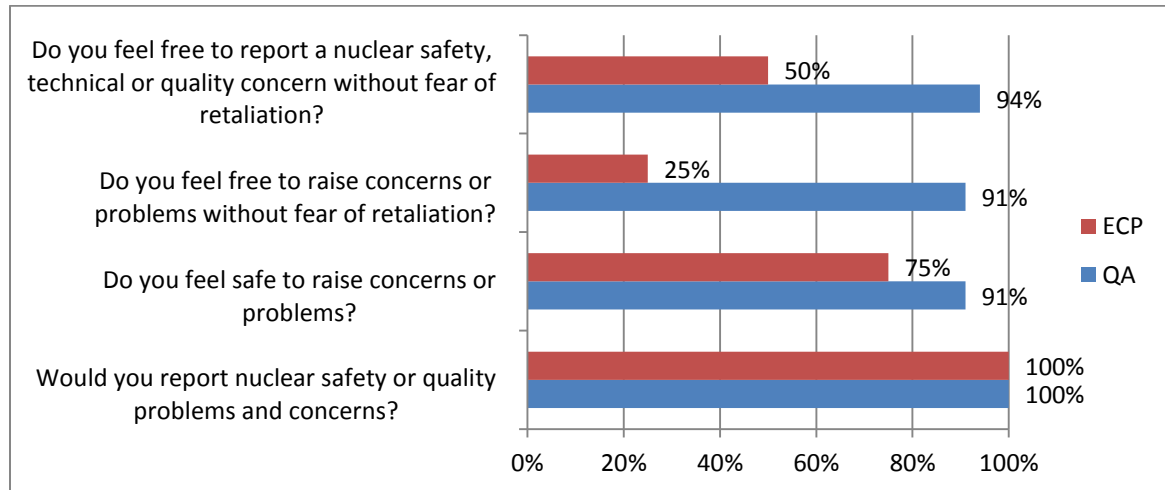
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<sup>3</sup> We interviewed all of Nuclear Oversight with the exception of administrative personnel.

<sup>4</sup> For the purposes of this report, when discussing QA employees, please note that 2 contractors are included.

While some people expressed fear of retaliation for raising issues, all QA and ECP employees said they would report nuclear safety or quality problems and concerns; however 1 QA employee indicated that they would report quality concerns just not to their management. Additionally, some Nuclear Oversight employees indicated they had experienced or were aware of others who had experienced retaliation for raising concerns. Figure 1 below shows the percentage of employees that responded “yes” to questions about reporting concerns.

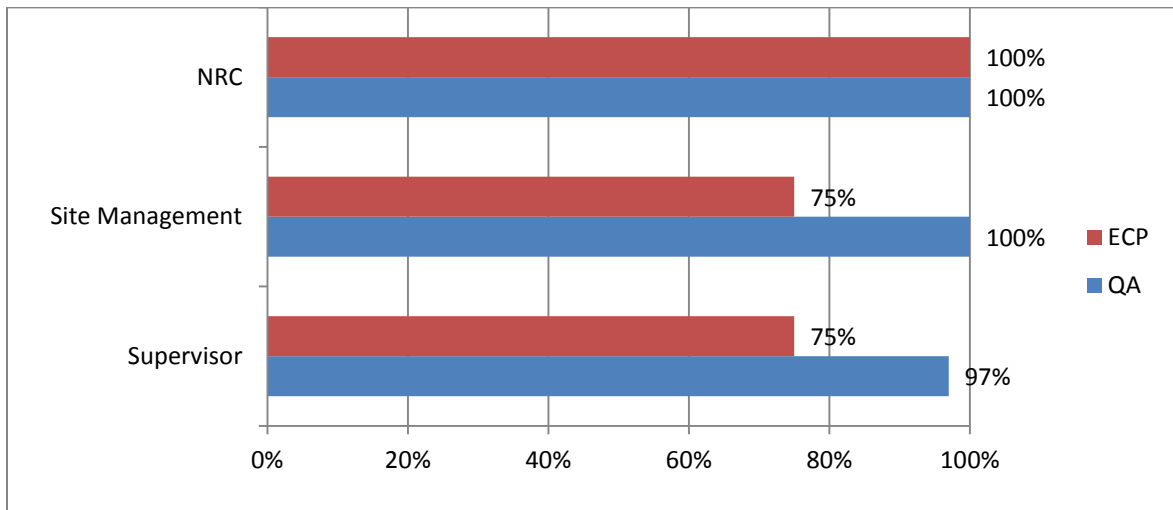
**Figure 1: Responses Related to Reporting Concerns**



Additionally, a declining SCWE in one group within QA was found as a result of an investigation<sup>5</sup> into an allegation received by the NRC. The investigation noted some individuals were reluctant to raise some nonnuclear types of concerns and indicated they self-select or screen concerns that they raised. During the course of our review, it came to our attention that the manager under investigation, prior to being selected as a manager in QA, had issues with his ability to create and maintain a SCWE in his department.

Employees were also asked about their willingness to report concerns using different avenues. We found most employees were comfortable reporting nuclear safety, technical, or quality concerns through multiple avenues as shown in Figure 2 on the following page.

<sup>5</sup> This investigation was performed by Nuclear Licensing after the NRC received an allegation about a declining SCWE in one QA group.

**Figure 2: Reporting Avenues<sup>6</sup>**

## ISSUES THAT COULD IMPACT REPORTING OF CONCERNS

Through our interviews with Nuclear Oversight personnel, we identified issues that could impact employees' willingness to report concerns. These issues include: (1) distrust of management, (2) past concerns being overridden or ignored, (3) work being influenced, and (4) QA rotational positions.

### Distrust of Management

Trust at all levels of management in Nuclear Oversight could be improved. When asked about trust:

- Five of 33 QA employees and 1 of 4 ECP employees did not trust their supervisor.
- Ten of 33 QA employees did not trust management below the VP.<sup>7</sup>
- Four of 33 QA employees and 2 of 4 ECP employees did not trust the VP and above. However, 2 of the employees who responded "no," specifically stated they were discussing the interim VP<sup>8</sup> and had no trust issues with the current VP.
- Five of 8 Nuclear Oversight management interviewed indicated there were some trust issues between employees and management.

<sup>6</sup> The percentages included for site management excluded 2 QA employees that answered that the question was not applicable to them.

<sup>7</sup> QA has a general manager between the supervisor and VP position. ECP does not have any management between supervisor and VP.

<sup>8</sup> For part of the scope of the review, the VP of Nuclear Oversight was on a temporary assignment and the General Manager of QA was named the interim VP.

**Past Concerns Being Overridden or Ignored**

When asked about concerns being overridden by management, 5 of 33 QA employees and 2 of 4 ECP employees indicated they felt this had happened. Additionally, 4 of 33 QA employees and 2 of 4 ECP employees felt that management had ignored concerns they had raised. Of the 6 people who responded “yes” to management ignoring their concerns, 2 reported it was plant management that had ignored their concerns. Additionally, 1 employee raised a concern that was ignored by management, and after further questioning the decision, he indicated he was given a warning. For those who responded “no” to management ignoring their concerns, some indicated that concerns may have been minimized.

**Work Being Influenced**

When asked if their work had been influenced, 8 of 33 QA and 2 of 4 ECP employees felt that it had. Of those 10 employees, 8 employees indicated their work had been influenced by the site, their own management, or Office of the General Counsel; and 2 felt it had not been influenced in a negative manner. Of the employees who did not feel their work was influenced, 1 mentioned covert attempts by the plant to influence their work and 1 indicated a coworker had attempted to influence their work. In addition, 4 of 33 QA employees and 1 of 4 ECP employees felt they had been pressured to change a report. Some employees indicated their reports had been edited to minimize or soften issues.

**QA Rotational Positions**

The practice of rotating employees into the QA group from the plant was an issue that came up several times in interviews. Multiple people expressed concerns that rotational positions could impact independence, including that a fear of future plant retaliation could cause concerns to be minimized or ignored by individuals in rotational positions. At two of the three plants, the manager of QA was a person who had rotated in from a plant position. Additionally, each of the plants has employees who are currently working in rotational positions in the QA group. According to a Nuclear Oversight employee, the use of rotational positions is an industry-wide practice. However, the employee noted that at a past job, employees were rotated into positions within a different group than the one they came from at the end of rotational assignments. Nuclear Oversight management also noted this is an industry-best practice and that it is a learning opportunity.

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In summary, employees could be less willing to report concerns if (1) they do not trust management, (2) concerns are overridden or ignored, (3) work is influenced, or (4) rotational positions appear to impact independence. According to the NRC’s Policy Statement for Nuclear Employees Raising Safety Concerns Without Fear of Retaliation, “A reluctance on the part of employees to raise concerns is detrimental to nuclear safety.” The Nuclear Oversight group, through the QA function, should provide reasonable assurance that plant safety functions are performed in a satisfactory manner. Additionally, Nuclear Oversight’s ECP is charged with providing an independent avenue for employees to raise concerns.

With these key roles, it is crucial that employees in Nuclear Oversight feel free to raise concerns without fear of retaliation.

## **RECOMMENDATIONS**

We recommend the Executive VP and Chief Nuclear Officer:

- Take appropriate actions to improve the environment for raising concerns.
- Identify opportunities to build trust between management and employees.
- Establish clear expectations for management providing input on Nuclear Oversight work.
- Assess the leadership skills of the Nuclear Oversight management team and provide training as appropriate.
- Determine if changes could be implemented to eliminate independence concerns related to the rotational position process.

**TVA Management's Comments** – TVA management stated they accepted the evaluation conclusions and recommendations provided in the report and provided planned actions to address the recommendations. Some of the actions planned by management include:

- One-on-one visits between Nuclear Oversight management and employees.
- Nuclear Oversight leadership having a Developmental Dimensions International assessment as well as 360° feedback.
- Conducting an independent assessment to understand the Safety Culture/SCWE within Nuclear Oversight.
- Enhancing procedures to clarify guidance on how reports are generated, reviewed, and changed. This will also include roles and responsibility as well as a process for employees to give feedback on and challenge to changes.
- Conducting a formal benchmark of nine major nuclear fleets regarding their use of Rotational Employees for QA Assessment.
- Refocusing the Nuclear Oversight Employee Advisory Group to focus on and provide recommendations on improving the work environment.
- Conducting independent surveys at approximately 6-month intervals to gauge the health of the department SCWE.

See the Appendix for TVA's complete response.

**Auditor's Response** – The comments provided by management indicated certain actions will be conducted on an on-going basis. Accordingly, we will check the status of management's planned actions intermittently to assess progress in addressing the report's findings and recommendations.

September 9, 2016

David P. Wheeler, ET 3C-K

**NUCLEAR OVERSIGHT RESPONSE TO REQUEST FOR COMMENTS ON DRAFT  
EVALUATION 2016-15398 – WORK ENVIRONMENT FOR NUCLEAR OVERSIGHT**

Per your request I have reviewed the subject draft report and accept the evaluation conclusions and recommendations.

I find the report recommendations appropriate to promote actions that will address the concerns expressed in the conclusions of the report. The proposed actions that comprise our response with owners and due dates are presented in the attachment. As you will note, some of the actions involve either benchmarking or some sort of assessment. These actions were necessary to either understand context or provide needed insight as the report only provided conclusions. These actions could potentially create additional discovery insights that can lead to additional actions. These actions will be tracked as well and made available for follow-up assessment by your organization.

My team places a high value on strong principles of a healthy Nuclear Safety Culture and, in particular, a Safety Conscious Work Environment. Your report findings have identified an opportunity for action to align our work environment with these principles.



Joseph P. Grimes  
Executive Vice President and  
Chief Nuclear Officer  
LP 3R-C

JPG:LAT  
Attachment

cc: M. A. Balduzzi, LP 3R-C  
G. A. Boerschig, LP 3R-C  
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K. H. Bronson, NAB 2A-BFN  
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S. M. Douglas, LP 3-R-C  
R. L. Gambone, LP 3R-C  
W. D. Johnson, WT-7-K  
D. K. Lanier, MR 6D-C  
C. G. Pardee, WT 7-K  
C. Schwarz, OPS 4A-SQN  
J. W. Shea, LP-3R-C  
P. R. Simmons, ADM 1V-WBN  
M.D. Skaggs, EQB 1B-WBN  
S. A. Vance, WT-6A-K  
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Attachment

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Alignment of NOS Actions to OIG Recommendations

No.	Action	OIG Recommendation						Owner	Date
		Take appropriate actions to improve the environment for raising concerns	Identify opportunities to build trust between management and employees	Establish clear expectations for management providing input on Nuclear Oversight work	Assess the leadership skills of the Nuclear Oversight management team and provide training as appropriate	Determine if changes could be implemented to eliminate independence concerns related to the rotational position process			
1	VP, Nuclear Oversight to continue monthly site one-on-one visits with Nuclear Oversight Managers and employees.	X	X					G. Boerschig	Ongoing
2	General Manager, Quality Assurance (QA) and Sr. Manager, Employee Concern Program (ECP) to conduct monthly visits to sites to meet with employees in one-on-one settings.	X	X					R. Detwiler / I. Hagins Dyer	Ongoing
3	VP, Nuclear Oversight to conduct quarterly 2 C's meetings with employees. Meetings will be held at each of the sites and corporate. Format will allow for questions to be asked both anonymously and in group (with VP) setting. Provide verbal and follow-up written feedback.	X	X					G. Boerschig	Ongoing
4	All Nuclear Oversight leadership will have a Developmental Dimensions International (DDI) leadership assessment, if not conducted since 2014.					X		G. Boerschig	11/1/2016
5	All Nuclear Oversight leadership will have a 360° Feedback provided to obtain feedback. Results to be used to generate individual Development Plan actions and reviewed at least quarterly.					X		G. Boerschig	11/1/2016
6	Conduct an independent assessment to better understand the Safety Culture / Safety Conscious Work Environment (SCWE) within Nuclear Oversight and gain clarity related to recent feedback to capture insights as to why employees feel the way they do regarding their leadership and work environment. Develop recommendations and subsequent actions.	X	X	X	X	X		G. Boerschig	11/1/2016
7	Leadership Development to conduct in depth assessment of data related to nuclear oversight work environment review OIG Investigation report, Independent Assessment report, leadership DDI Assessments, 360° Feedback results, 2014 and 2016 Gelfond Survey results, conduct sample interviews and recommend actions for improving leadership behaviors to enhance trust and engagement.					X		G. Boerschig	12/15/2016
8	Enhance NPG procedures, QA Procedure, and ECP Conduct of Operations, as appropriate, to clarify guidance on how reports are generated, reviewed, and changed. Include roles and responsibilities of the employee, the Sr. Manager, the GM (QA only), and the VP, Nuclear Oversight. Include a process for employees to give feedback on changes and for challenge to changes.			X				R. Detwiler / I. Hagins Dyer	10/1/2016
9	Conduct formal Benchmark of the 9 major nuclear fleets (TVA + 8) regarding their use of Rotational Employees for QA Assessment and how independence and SCWE are preserved. Look both at use of rotational managers and assessors. Document report and recommended actions.						X	R. Detwiler	10/15/2016
10	Provide training to all Nuclear Oversight personnel on SCWE and Harassment, Intimidation, Retaliation or Discrimination (HIRD).	X				X		I. Hagins-Dyer	10/31/2016
11	Provide a weekly (not to exceed monthly) communication to Nuclear Oversight employees on the status of actions for implementing the Delivering the Nuclear Promise as pertains to Oversight. Sunset clause upon completion of actions.		X					R. Detwiler	Start: 9/9/16 Ongoing

Attachment  
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Alignment of NOS Actions to OIG Recommendations

No.	Action	OIG Recommendation					Owner	Date
		Take appropriate actions to improve the environment for raising concerns	Identify opportunities to build trust between management and employees	Establish clear expectations for providing input on Nuclear Oversight work	Assess the leadership skills of the Nuclear Oversight Management team and provide training as appropriate	Determine if changes could be implemented to eliminate independence concerns related to the rotational position process		
12	Employee Concerns Program Sr. Manager and VP, Nuclear Oversight to hold discussion with Employee Concerns Program employees regarding the development of and expected implementation of initiatives represented in the Integrated Excellence Plan and Business Plan.		X				G. Boerschig / I. Hagins-Dyer	10/1/2016
13	Nuclear Oversight Leadership team to hold regular (weekly, not to exceed average of monthly) meetings to improve leadership. Format will be discussions based on a leadership book / principles starting with Servant Leadership.				X		G. Boerschig / R. Detwiler / I. Hagins-Dyer	Start: 9/9/16 Ongoing
14	Refocus the Nuclear Oversight Employee Advisory Group (EAG) to focus on and provide recommendations on improving work environment. Also ensure that the Employee Advisory Group has time to discuss among themselves without the presence of management, such that they are free to discuss issues affecting work environment, even individuals. Ensure the governance for the Nuclear Oversight EAG, as necessary.	X	X				R. Detwiler	Start: 9/23/16 Ongoing
15	Have independent surveys of Nuclear Oversight employees at approximately 6 month intervals to gauge the health of the department SCWE. Check and adjust as necessary based on survey feedback. To be implemented for a minimum of 2 years.						G. Boerschig	Starting: January 2017