



Department of Energy
Washington, DC 20585

June 14, 2016

MEMORANDUM FOR: INGRID KOLB
DIRECTOR, OFFICE OF MANAGEMENT

THROUGH: CHRIS MORRIS
ACTING DIRECTOR, OFFICE OF INFORMATION RESOURCES

FROM: MATTHEW MOURY
ASSOCIATE UNDER SECRETARY FOR ENVIRONMENT, HEALTH, SAFETY
AND SECURITY

SUBJECT: Notice of Intent to Revise DOE Order 442.1A, *Department of Energy Employee Concerns Program*

PURPOSE: This memorandum justifies the need to revise the Department of Energy (DOE) Order (O) 442.1A, *Department of Energy Employee Concerns Program* originally developed and approved in 2001.

JUSTIFICATION: The Employee Concerns Program (ECP) has been a successful program throughout the DOE complex, and was the subject of a Secretarial Statement of support in October 2012. The Defense Nuclear Facilities Safety Board (DNFSB) previously recommended that DOE O 442.1A be revised in order to ensure consistency with DOE O 226.1, *Implementation of Department of Energy Oversight Policy*.¹ Specifically, the DNFSB previously recommended that the existing Contractor Requirements Document be revised to make it clear that the requirements of DOE O 442.1A are extended to the Department's contractors.

At a time when the Department is working to implement a safety conscious work environment (SCWE) throughout the DOE complex, it is essential to ensure that the Department has a robust ECP in place. Revisions to DOE O 442.1A will help to bring about greater consistency throughout the DOE complex in the approach to processing employee concerns, and to support SCWE efforts.

There are no valid external, consensus, or other standards (e.g., International Organization for Standardization, Voluntary Protection Program, etc.) available which can be used in place of this directive.

IMPACT: The proposed revised ECP Order does not duplicate existing laws, regulations, or national standards, and it does not create an undue burden on the Department.

¹ This information related to the DNFSB recommendation was included in ED's notice of intent to revise the DOE ECP Order, dated October 24, 2007. However, this information has not been independently verified in the preparation of this memorandum.

Rec'd 6/14/16 RCM



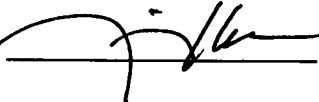
Most of the Department field site offices already have an established ECP. Therefore, the proposed revised ECP Order will have minimal impact on DOE field site offices. In cases where DOE field site offices do not have an established ECP, they will be requested to dedicate resources to establish a program or formalize a memorandum of understanding with another DOE field site office for the processing of employee concerns from their site.

Many of the largest DOE contractors already have an established ECP. However, some of their processes may need to be modified to fully comply with the revised ECP Order. Where a DOE contractor to which the revised ECP Order would apply does not have an established ECP, the contractor would be required to dedicate resources to establish a program consistent with the Order.

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Ingrid Kolb, Director, Office of Management (MA-1):

Concur:  Nonconcur: _____ Date: 6-14-2016

Unless determined otherwise by the Directives Review Board (DRB), writers will have up to 60 days in which to develop their first draft and submit to the Office of Information Resources, MA-90

<u>Standard Schedule for Directives Development</u>	<u>Days</u>
Draft Development	Up to 60 days
Review and Comment (RevCom)	30
Comment Resolution	30
Concurrence	15
Final Review	30
Total	165

(NOTE: The standard schedule of up to 165 days will be used unless otherwise specified by the Directives Review Board.)