



NOTICE

Subject: EXECUTIVE RESOURCES BOARD -- EDO SELECTION

Number: N-126.1

Approved: 9/5/2023

Review: 9/5/2024

Certified:

Responsible Office: Office of the General Manager, Division of Human Resources

1. **PURPOSE.** This Notice establishes an Executive Resources Board (ERB) for the purpose of conducting the merit staffing process for selection of an individual for the position of Executive Director of Operations (EDO) within the Defense Nuclear Facilities Safety Board (DNFSB or Board). This ERB functions as an advisor to the Board and is in addition to the ERB created under the provisions of D-126.1. This additional ERB is necessary to fairly and objectively assess the overall scope, quality, and depth of each candidate's qualifications and experience for the EDO position.
2. **CANCELLATION.** This Notice supersedes N-126.1, Executive Resources Board – EDO Selection, dated August 21, 2023.
3. **APPLICABILITY.** This Notice is issued by the Chairperson in consultation with the Board and is applicable to all staff and external participants involved in the review and selection process for the EDO position.
4. **EXEMPTIONS.** None. This ERB Notice is intended to be implemented consistent with statutory and regulatory requirements applicable to SES selections, and applicable Office of Personnel Management (OPM) guidance related to the use of ERBs.
5. **POLICY.** The ERB created by this Notice is established under the authority of the DNFSB Chairperson as the head of the agency, pursuant to 5 U.S.C. § 3393(b). It is the policy of the DNFSB to ensure its SES merit staffing procedures and other ERB functions are conducted in accordance with applicable federal statutes and regulations. The ERB is established for the limited purposes of supporting the review of candidates and selection of an individual for the EDO position, ensuring that the members of the ERB are objective and free from bias in the review and selection process.
6. **PROCEDURES.** The ERB created by this Notice shall meet the following requirements:

- A. The ERB shall be composed of the following positions and Senior Executives: one Board Member (Jessie H. Roberson, ERC Chair), the General Manager (James P. Biggins), and the Associate Technical Director for Nuclear Programs and Analysis (Richard T. Davis). Other Associate Technical Directors at the SES level, who are not applicants for the EDO position, may serve as alternate ERB members.
- B. Member positions are subject to change at the discretion of the Chairperson. Executives that will fill the above positions will be notified of their roles and responsibilities by the Director of the Human Resources Division (HRD), Office of the General Manager, on behalf of the Chairperson.
- C. The Director HRD, or their designee, will serve as the Executive Secretary to the ERB and will provide administrative support and human resources expertise and advice. The Director HRD, or their designee, is a non-voting, ex-officio member of the ERB.
- D. The Equal Employment Opportunity (EEO) Manager will serve as an advisor to the ERB and ensure that EEO and diversity, equity, inclusion, and accessibility (DEIA) perspectives are addressed in the decision-making process. The EEO Manager is a non-voting, ex-officio member of the ERB.
- E. The ERB will review, interview, and recommend in writing two or more candidates for the EDO position, following HR screening of applicants for minimum qualifications. The ERB shall provide its written recommendations for the Board's final review and selection decision.
- F. The ERB shall serve until it transmits the recommendations to the Board, or until dissolved by memorandum from the Chairperson, whichever occurs first.
- G. The ERB proceedings are closed to persons not serving on the ERB other than the Director HRD, or their designee, and EEO Manager. The Director HRD, or their designee, shall ensure that adequate records of the proceedings are maintained within the HRD.
- H. The ERB is responsible for ensuring that their proceedings are consistent with the merit system principles prescribed in 5 U.S.C. § 2301, do not allow prohibited personnel practices, and are consistent with the DNFSB equal employment opportunity and anti-discrimination policies.
- I. To uphold the confidentiality of sensitive information and maintain the trust of all parties involved, all ERB members will be required to sign a Non-Disclosure Agreement (NDA) to safeguard the privacy of the ERB discussions and decisions.

7. **REFERENCES.**

- A. 42 U.S.C. § 2286a(c)(6): DNFSB Enabling Statutes
- B. 5 U.S.C. § 3395(a)(1): Reassignment and transfer within the SES
- C. 5 C.F.R. § 412.401: Continuing Executive Development
- D. OPM Memorandum for Chief Human Capital Officers, *Executive Resources Boards*, dated September 9, 2009. <https://www.chcoc.gov/content/executive-resources-boards>
- E. OPM Senior Executive Service Desk Guide, Dec. 2020, <https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/ses-desk-guide.pdf>



Joyce L. Connery, Chair
Defense Nuclear Facilities Safety Board