



Department of Energy
Office of Science
Washington, DC 20585

MEMORANDUM FOR W. F. BRINKMAN
DIRECTOR, OFFICE OF SCIENCE

FROM: STEVEN E. KOONIN
UNDER SECRETARY SCIENCE

A handwritten signature in black ink, appearing to read "S. E. Koonin", written over the printed name of the Under Secretary for Science.

SUBJECT: Re-delegation of Authorities Related to Work Force Restructuring
Actions at DOE Facilities

The May 5, 2011, memorandum from the Secretary, entitled *Authorize Changes to Workforce Restructuring Policy*, assigns accountability and approval authorities related to contractor workforce restructuring actions to the Under Secretaries. You are hereby re-delegated the authorities described in the memorandum, attached hereto, with the exception of the following:

- Approval of workforce restructuring plans (general plans) for Office of Science defense nuclear facilities (ANL, BNL, ORNL, PNNL), prepared in compliance with the National Defense Authorization Action for Fiscal Year 1993, Public Law 102-484 (section 3161), and subsequent submission of general plans to Congress.
- Workforce restructuring actions at defense and non-defense nuclear facilities potentially impacting 500 or more employees through voluntary or involuntary separation.

Notwithstanding the re-delegation herein, a Communication Plan for each contractor workforce restructuring action shall be provided to the Under Secretary for Science and the Deputy Chief of Staff concurrent with approval of the action. The Communication Plan shall contain the significant dates relevant to the action as well as the strategy laboratory management will employ to inform the workforce, e.g. all-hands meeting, lab-wide email, televised broadcast.

This re-delegation is effective on the date of this memorandum, and shall remain in effect until superseded or cancelled by the Under Secretary for Science. The authorities identified herein may be further re-delegated in whole or in part with the limitations identified above.

Attachment(s), as stated

cc: SC-1
SC-2
SC-3





Department of Energy
Office of Science
Washington, DC 20585

Office of the Director

May 24, 2011

MEMORANDUM FOR STEVEN E. KOONIN

UNDER SECRETARY FOR SCIENCE

FROM:


W. F. BRINKMAN

DIRECTOR, OFFICE OF SCIENCE

SUBJECT:

ACTION: Delegation of Authority for Contractor Workforce
Restructuring Actions

ISSUE: On May 5, 2011, the Secretary issued a memorandum entitled, *Authorize Changes to Workforce Restructuring Policy*, which provides "revised and consolidated policy and models intended to facilitate and expedite any necessary contractor workforce restructuring activities" and supersedes prior policy and guidance. The memorandum assigns accountability for managing workforce restructuring actions under the Collaborative Action Process to the Under Secretaries "unless otherwise delegated". In addition, approval of workforce restructuring actions is assigned to the Under Secretary level, but "may be delegated as determined by the Under Secretary".

BACKGROUND: In anticipation of an increase in workforce restructuring actions by DOE contractors due to the budget uncertainties for FY2011 and FY2012, the Department initiated a review and reevaluation of its workforce restructuring policies. The core set of Departmental workforce restructuring policies are contained in Section 3161 of the National Defense Authorization Act for Fiscal Year 1993 and DOE Order 350.1, Contractor Human Resources Management Programs, however multiple guidance documents and policy memos have been issued since 1993, which has resulted in difficulties and confusion in determining the most current and applicable policies for various restructuring activities.

The May 5, 2011, memorandum makes the distinction between policies applicable only to defense nuclear facilities and those applicable to both defense and non-defense facilities, assigns accountability and approval authority for restructuring actions within Program Offices (at the Under Secretary level) rather than staff offices such as Legacy Management and General Counsel, and responds to contractor concerns over the protracted approval process by establishing a 10-Business Day approval period and reducing the 96-Hour Hold to 48 hours. In addition, the revised policy allows the contractors to better manage the process, by removing the requirement for DOE



approval of diversity analyses, and allowing contractor discretion on the use of waivers for involuntary separations.

Assignment of accountability and approval authority to the Under Secretary level reflects the Secretary's intent to manage the contractor workforce restructuring process within the programmatic elements of the Department. It was recognized, however, that delegation was appropriate and necessary to facilitate the prompt review of proposals and reduce the volume of items requiring the Under Secretary's involvement.

OPTIONS:

1. Re-delegate to the Director, Office of Science, the accountability and authorities contained within the May 5, 2011, memorandum entitled, *Authorize Changes to Workforce Restructuring Policy*, with the exception of restructuring actions that would potentially impact 500 or more contractor employees through voluntary or involuntary separation, and the approval and submission to Congress of General Plans for Nuclear Defense Facilities.

Pro's:

- Establishes accountability and authority at a lower level with familiarity of contractor issues and circumstances that would drive the need for restructuring.
- Maintains approval of restructuring actions impacting 500 or more employees at the Under Secretary level, where actions of that significance necessitate support at the highest levels of the Department on political or economic issues.
- Complies with the expectation of Congress that workforce restructuring plans for nuclear defense facilities are approved by the highest levels of DOE. [Section 3161 of the National Defense Authorization Action of Fiscal Year 1993 requires that the Secretary submit workforce restructuring plans (General Plans) for nuclear defense facilities to Congress. In 2002, Secretary Abraham delegated that authority to the Under Secretaries.]

Con's:

- Reduces the Under Secretary's formal interaction in contractors' restructuring decisions impacting less than 500 employees.
2. Retain the accountability and authorities of the May 5, 2011 memorandum entitled, *Authorize Changes to Workforce Restructuring Policy*, within the Office of the Under Secretary for Science.


Pro's:

- Under Secretary involvement reflects acknowledgement at a high level of the Department of the impact of funding or prioritization decisions.

Con's:

- Actions impacting fewer than 500 employees generally do not generate political or economic issues that would necessitate involvement at the Under Secretary level.

RECOMMENDATION: Option 1, which provides consistency with the expectations of the policy memo and reserves approval to only those restructuring actions with the highest potential impact.

Approve: 

Disapprove: _____

Date: 6/15/11