



**TVA Standard
Programs and
Processes**

**Expressing Concerns and Differing
Views**

**TVA-SPP-11.8.4
Rev. 0008
Page 1 of 14**

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Approved by:


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Compliance, Ethics & Employee Concerns and
Ombudsman

Date

12/10/14

Revision Log

Revision or Change Number	Effective Date	Affected Page Numbers	Description of Revision/Change
0000	09-23-2010	All	Initial Issue - Conversion from Communications Practice 5 - Policy wiki - Expressing Concerns and Differing Views in its entirety and modifications to reflect the implementation of TVA's Non-Nuclear Employee Concerns Program and other identified alternate concerns resolution avenues. Reviewed September 23, 2010, and will be reviewed again by September 23, 2011.
0001	05-09-2011	All	Revised to reflect TVA-SPP-01.001 Revision 003. Also revised to implement corrective action for PER 351501. Reviewed May 9, 2011, and will be reviewed again May 9, 2012.
0002	06-01-2011	1	Revised to include signature on signature page.
0003	06-21-2011	2, 11, 12	Revised to modify review date for Rev. 0001, add contact information on Page 11 for OIG (paragraph 3), and bold print "Identification and reporting the following activities are protected." Reviewed June 20, 2011, and will be reviewed again June 20, 2012.
0004	10-07-2011	11	Revised to reflect the new telephone number for the OIG Empowerline.
0005	01-27-2012	4, 11	Revised to clarify Purpose and update contact information.
0006	05-24-2012	Title page, 3, 12, 13	Revised to include the use of the Corrective Action Program (CAP) as a means of expressing differing views. Revised to delete references to the Ombudsman. Modified responsible organization to reflect TVA's recent realignment. Reviewed May 24, 2012, and will review again May 24, 2013.
00007	09-25-2012	All	Revised to clarify roles and responsibilities and streamline contact information.
00008	11/06/2014	All	Revised to reflect organizational changes and will be reviewed again December 2017.

Table of Contents

1.0	PURPOSE	4
2.0	SCOPE	4
3.0	PROCESS	5
3.1	Roles and Responsibilities	5
3.1.1	President and Chief Executive Officer	5
3.1.2	Senior Vice President, Human Resources and Communications	5
3.1.3	Director, Equal Opportunity Compliance, Ethics and Employee Concerns and Ombudsman	6
3.1.4	Executive Leadership	6
3.1.5	Executive Vice President and Chief Nuclear Officer, Nuclear Power Group	6
3.1.6	Line Management	6
3.1.7	Supervisors	7
3.1.8	Employees, Contractors, and Others who Support TVA Functions	7
3.1.9	Office of Inspector General	7
3.1.10	Human Resources	8
3.1.11	TVA Labor Relations Staff	8
3.1.12	Equal Opportunity Compliance (EOC) Staff	8
3.1.13	Ethics Staff	9
3.1.14	Safety Programs	9
3.1.15	TVA Employee Concerns Program	9
3.2	Program Elements	10
4.0	RECORDS	12
4.1	QA Records	12
4.2	Non-QA Records	12
5.0	DEFINITIONS	12
	Source Notes	14

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 4 of 14
--	--	--

1.0 PURPOSE

The purpose of this SPP is to provide TVA policy regarding expressing concerns and differing views and identify the programs available for addressing those concerns and differing views. This SPP is not intended to provide the documented process or requirements for expressing, tracking, and resolving specific concerns and differing opinions. The processes, some federally mandated, for expressing and addressing concerns through one of the programs identified within this SPP is maintained by the program functional owner.

TVA encourages the voluntary expression of concerns and differing views. Employees, contractors, and others who support TVA functions are encouraged to express concerns and differing views, cooperate, and participate in the investigation of concerns and in the development of concern resolution, without fear of reprisal. The ability to freely express differing views and opinions will enhance employee productivity, observance of standards and promote a safety conscious work environment (SCWE).

There are both federally mandated programs and TVA-sponsored programs that provide numerous avenues for expressing concerns and differing opinions. TVA fully supports employees' use of these programs.

2.0 SCOPE

TVA is committed to ensuring a SCWE that encourages employees to feel free to raise concerns and/or offer opinions without fear of retaliation.

TVA is also committed to conducting business with the highest standards of ethics, and compliance with all governing laws, rules and regulations.

In addition, TVA continues to promote values of safety, integrity and respect, honest communication, accountability, teamwork, continuous improvement, and flexibility.

All employees, contractors, and others who support TVA functions 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. In addition, all employees and contractors have a right to speak up about any matter that is viewed to have an impact on TVA work.

In many cases, an employee's supervisor is in the best position to address concerns properly. Employees and contractors are encouraged to seek resolution of concerns and differing views with their immediate supervisor and to proceed up their management chain if necessary to achieve resolution. However, differing views may be voiced to any management level at any time.

Every employee and contractor has the right to have his or her concerns or point of view heard by management when the employee considers the issue significant and the view differs from a management decision which has been made or is pending. It is TVA policy that every responsible view is valuable and should be heard and appropriately considered in the decision making processes.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 5 of 14
-------------------------------------	---	---

2.0 SCOPE (continued)

It is also the company's obligation to ensure that any such concerns will be appropriately considered, investigated and resolved, without retaliation against those who raised the issue or participated in the investigation or resolution efforts.

Concerns should be raised in good faith, i.e. with the belief that the concern is raised based on information that is accurate and truthful to the best of the concerned individual's knowledge. Disciplinary action, up to and including termination, may be taken if it is determined that an issue is raised by one who intentionally provides false information, or with malicious intent to harm the company or another employee.

Every supervisor has the responsibility to create an environment in which employees can raise concerns without fear of retaliation. Harassment, intimidation, retaliation, or discrimination will not be tolerated. Any person found guilty of such acts will be subject to disciplinary action, up to and including termination.

Employees are expected to cooperate with any investigation or other activity performed by the Employee Concern Program, if requested to do so.

Employees who believe they have been subjected to reprisal (which includes any form of harassment, intimidation, retaliation, or discrimination) for **expressing concerns or differing views, or for participating in the investigation of a concern**, should report the act of reprisal to any member of TVA's management team, Employee Concerns, Human Resources, Office of the Inspector General, or to an alternative concerns resolution source identified in Section 3.2, Instructions.

3.0 PROCESS

3.1 Roles and Responsibilities

3.1.1 President and Chief Executive Officer

Provide executive and organizational support for employees to raise concerns, as well as, support for a non-retaliatory environment. Provide oversight of the effectiveness of the overall programs. Based upon escalation policies, may review and act upon concerns and/or differing opinions expressed by employees to management that have not been resolved to the satisfaction of the employee and informs the Board as necessary.

3.1.2 Senior Vice President, Human Resources and Communications

Provide executive and organizational support for employees to raise concerns, as well as, support for a non-retaliatory environment. Provide oversight of the effectiveness of the overall programs. Based upon escalation policies, may review and act upon concerns and/or differing opinions expressed by employees to management that have not been resolved to the satisfaction of the employee and informs the Board as necessary.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 6 of 14
--	--	--

3.1.3 Director, Equal Opportunity Compliance, Ethics and Employee Concerns and Ombudsman

Provide oversight and support for Equal Opportunity Compliance, Ethics and Employee Concerns as alternate avenues of expression for differing views and concerns. Ensure education of the workforce, tracking and trending of concerns, and general advocacy for a work environment where employees can freely express their views and concerns and being proactive by supporting organizations to resolve identified issues in the workplace.

3.1.4 Executive Leadership

- A. Administer this procedure for their organizations.
- B. Clearly communicate and demonstrate the support for a work environment where employees can freely express their views and concerns.
- C. Ensure that all employees complete required Employee Rights and Responsibilities training.
- D. Inform the CEO through the chain of command of differing views that have not been resolved.
- E. Ensure a work environment that encourages the voluntary expression of concerns and differing views involving all aspects of its activities.
- F. Detect and correct any actual or perceived issues of harassment, intimidation, retaliation, or discrimination.
- G. Ensure that appropriate corrective actions are taken after thorough investigation of the facts, and analysis of trend data.

3.1.5 Executive Vice President and Chief Nuclear Officer, Nuclear Power Group

Responsible for matters relating to receiving, assessing and, as appropriate, reporting to the NRC defects and noncompliances related to nuclear safety for TVA's nuclear operating and construction sites. Establishes a policy on management's expectations of a SCWE and reinforces each employee's responsibility to maintain construction site safety.

3.1.6 Line Management

- A. Ensure a work environment that encourages the voluntary expression of concerns and differing views involving all aspects of its activities.
- B. Address concerns and differing views whether they are received directly or via alternate concerns resolution method.
- C. Inform management through chain of command of differing views and/or concerns that have not been resolved.
- D. Detect and correct any perception of retaliation.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 7 of 14
--	--	--

3.1.6 Line Management (continued)

- E. Seek advice and counsel of the Employee Concerns staff, particularly on complex issues
- F. Protect confidentiality of concerned individuals.

3.1.7 Supervisors

- A. Have principal responsibility for ensuring the implementation of the procedure.
- B. Ensure that concerns and differing views are heard and appropriately considered in decision-making processes.
- C. Provide protective measures to encourage participation without fear of reprisal.
- D. Refer unresolved issues through the chain of command as far as necessary.
- E. Clearly communicate and demonstrate support for TVA's policy on expression of differing views and concerns.
- F. Participate in any training offered to help effectively receive and address concerns.

3.1.8 Employees, Contractors, and Others who Support TVA Functions

- A. Speak up about issues and concerns, giving priority to those that have an impact on safety and health of the public or TVA employees, or that could significantly impact operations.
- B. Are encouraged to resolve issues directly with their immediate supervisor and to proceed up their management chain if necessary so corrective action may be handled promptly and at the working level.
- C. May at any time express their concerns or differing views to any management level or to any alternate concerns resolution source identified in Section 3.2.
- D. If issues cannot be resolved within the chain of command, seek alternate means of raising and resolving issues.
- E. Employees are expected to cooperate with any Employee Concerns investigation if requested to do so.
- F. In order to maintain confidentiality, an employee may not have a representative or witness present during an investigation interview.

3.1.9 Office of Inspector General

- A. Receives and investigates as appropriate:
 - 1. Allegations of known or suspected violations of laws, regulations, or TVA policies and procedures.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 8 of 14
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3.1.9 Office of Inspector General (continued)

2. Concerns about the efficiency and economy of TVA programs and operations, including allegations of waste, fraud, and abuse.
 3. Allegations of reprisal by supervisors or coworkers for expression of differing views.
- B. May receive allegations in confidence or anonymously.

3.1.10 Human Resources

- A. Human Resources may also assist employees and managers with receipt, investigation, and resolution of issues within the chain of command, especially for concerns and differing views on personnel management issues. This also includes differing views made in confidence or anonymously.
- B. In assisting with such concerns, Human Resources does the following:
1. Maintains confidentiality at the request of the employee.
 2. Provides follow-up reports with findings and recommendations both to the employee and the responsible organization.
 3. Monitors implementation of recommendations.
 4. Makes recommendations to the appropriate corporate officer where further action by the responsible organization is deemed necessary.
 5. Refers issues of waste, fraud, and abuse to the Inspector General for investigation and, as requested, assists in such investigations.
 6. Refers reports of nuclear safety issues to TVA's Nuclear Power Group or to Nuclear Construction, as appropriate, for investigation and, as requested, assists with the occupational health and safety aspects of such investigations.

3.1.11 TVA Labor Relations Staff

Receives, investigates, and provides for the resolution of concerns and differing views associated with represented workers (Examples include negotiations, contract administration, dispute resolution, represented employee compensation, and constructive union/management relationships).

3.1.12 Equal Opportunity Compliance (EOC) Staff

Counsels, investigates, and provides for the resolution of matters relating to federal regulations governing discrimination or retaliation on the basis of genetics, sex (i.e. pregnancy, gender identity, or sexual orientation), race, national origin, religion, age, or disability. EOC staff processes and impartially resolves complaints filed by persons who believe they have been discriminated against in employment matters as defined in TVA-SPP-11.7.2, Equal Opportunity Compliance.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 9 of 14
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3.1.13 Ethics Staff

- A. Represents the Designated Agency Ethics Official (DAEO) in matters involving concerns and/or differing views on business ethics and integrity.
- B. Provides advice and counsel to individuals and business units on applicable ethics laws and standards.
- C. Investigates ethical violations and reports findings to management.

3.1.14 Safety Programs

- A. Represents the Designated Agency Safety and Health Official in matters involving differing views on occupational health and safety issues.
- B. Refers reports of nuclear safety issues to TVA's Nuclear Power Group or to Nuclear Construction, as appropriate, for investigation and, as requested, assists with the occupational health and safety aspects of such investigations.

3.1.15 TVA Employee Concerns Program

- A. Provides an alternate resource to receive concerns and differing views from employees, contractors, and others who support TVA functions:
 - 1. On referral, after line management and the employee have been unable to resolve the issues.
 - 2. Directly, if the employee believes that pursuit of the issues with line management would be ineffective.
 - 3. Self-initiated if the Employee Concerns professional observes that an issue needs to be addressed.
 - 4. On referral from the Office of Inspector General EmpowerLine.
- B. May receive and act upon concerns or differing views that are made with full disclosure, confidentiality, or anonymously.
- C. Provides its findings to the responsible manager and HR as appropriate.
- D. Notifies concerned individual of investigation findings and, as appropriate, corrective actions.
- E. Refers to the Inspector General any allegations of fraud, waste, abuse, and/or other matters within the Inspector General's investigative jurisdiction.
- F. Refers to other applicable areas as deemed appropriate for effective and efficient resolution.

3.2 Program Elements

Employees are strongly encouraged to seek resolution of concerns and/or differing views with their immediate supervisor and/or proceed up their management chain if necessary to achieve resolution. However, differing views may be voiced to any management level at any time or through an avenue identified below.

Individuals who..	Should contact..
believe they have been subject to reprisal (which includes any form of intimidation, harassment, or discrimination) for expressing concerns or differing views :	Contact their immediate supervisor or responsible parties within the management chain of command, or Office of the Inspector General Empowerline: 1(855) 882-8585 www.OIGempowerline.com Or a representative within the Employee Concerns program as an alternate confidential source.
have identified problems associated with (plant operability and/or reportability): plant safety personnel safety plant reliability conditions that are potentially adverse or adverse to quality affect asset reliability adverse trends other conditions that do not meet expectations	Utilize the Corrective Action Program (CAP) applicable to the appropriate business unit. Examples are provided below: COO-SPP-03.1.1 CAP FPG-SPP-03.001 CAP PSS-QAP-08.01 CAP RO-SPP-03.1.1 CAP BPP-03.1 CAP
do not agree with the response or resolution of a PER (Problem Evaluation Report):	Escalate the issue for review by senior management. If the individual believes that a problem within the scope of this program still exists, then the individual may initiate another PER identifying the condition, or if the individual disagrees with the PER problem description or approved corrective action plan, then the individual should initiate an escalation of difference (EOD) in accordance with the appropriate PER procedure.
have concerns about discrimination or retaliation in the workplace on the basis of age, race/color, national origin, disability (mental or physical), unequal pay, pregnancy, religion, reprisal/retaliation, genetic information, or that you have been harassed in the workplace, either sexually or non-sexually.	Contact Equal Opportunity Compliance Staff 400 West Summit Hill Drive, WT 10D Knoxville, Tennessee 37902 Telephone: (865) 632-2515 or e-mail at EOC2@tva.gov within 45 days of the alleged discriminatory event.
have concerns about the ethical conduct of TVA employees and/or contractors or questions regarding ethics laws and regulations:	Contact the Ethics Staff Telephone: (865) 632-3199 or e-mail at ethics@tva.gov 400 West Summit Hill Drive, WT 7C Knoxville, Tennessee 37902

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 11 of 14
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3.2 Program Elements (continued)

<p>have concerns or questions associated with represented work:</p>	<p>Contact Labor Relations Telephone: (865) 632-7872</p>
<p>have concerns that they have not been successful in getting resolved with line management or alternate avenues OR believes that pursuit of the issues with line management/alternate avenues would be ineffective OR needs assistance in determining the most appropriate channel to resolve concern:</p>	<p>Contact TVA Employee Concerns Program Telephone: (855) 867-6970</p> <p>Email to: empconcerns@tva.gov econcerns@tva.gov - Nuclear Corporate ecp-bfn@tva.gov - Browns Ferry ecp-sqn@tva.gov - Sequoyah ecp-wbn@tva.gov - Watts Bar</p> <p>or, visit site representatives at: Knoxville, Chattanooga, Browns Ferry, Sequoyah, and Watts Bar I, II.</p>
<p>suspect violations of laws, regulations, or TVA policies and procedures or have concerns about the efficiency and economy of TVA programs and operations, including allegations of waste, fraud, and abuse:</p>	<p>Contact Office of the Inspector General Empowerline: (855) 882-8585 or www.OIGempowerline.com</p>
<p>disagree with the final disposition of an occupational health or safety issue:</p>	<p>May call or write to: Occupational Safety and Health Administration Regional Office 61 Forsyth Street, SW Room 6T50 Atlanta, Georgia 30303 Telephone: (678) 237-0400 Fax: (678) 237-0447</p> <p>or</p> <p>OSHA Area Office 51 Century Boulevard, Suite 340 Nashville, Tennessee 37214</p>
<p>believe violations of Nuclear Regulatory Commission (NRC) rules or terms of the license have occurred associated with the design, construction, or operation of a TVA nuclear plant:</p>	<ul style="list-style-type: none"> • Should contact their supervisor immediately. • Refer to an alternate avenue above. • Are free to contact the NRC directly: NRC Inspector (or) U.S. Nuclear Regulatory Commission Region II Marquis One Tower 245 Peachtree Center, Suite 800 Atlanta, Georgia 30303-1257 Telephone: (404) 997-4000 Toll Free: 1-800-577-8510 (or) NRC Toll Free Safety Hotline: 1-800- 695-7403
<p>have issues with Workers Compensation:</p>	<p>Contact Manager TVA Workers Compensation Administration 1101 Market Street Chattanooga, Tennessee 37402 Telephone: (423) 751-3207</p>

3.2 Program Elements (continued)

have concerns about reasonable accommodation or accessibility to facilities, parking, programs, or information technology for persons with disabilities:	Contact Program Manager Disability Program 3726 East Morris Blvd. MOC-1A-MOT Morristown, Tennessee 37813 Telephone: (423) 585-2162 Email: vmmcleod@tva.gov
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4.0 RECORDS

None

4.1 QA Records

None

4.2 Non-QA Records

None

5.0 DEFINITIONS

Intimidation and Harassment Concerns (IH): Actions taken to prevent proper execution of tasks or responsibilities, or use of undue pressure to reach a goal unrelated to assigned tasks or responsibilities. Also known as Harassment, Intimidation, Retaliation and/or Discrimination (HIRD).

Management and Personnel Concerns (MP): Concerns related to policies, management attitude and effectiveness, organization structures, personnel management and personnel training and qualification.

Misconduct or Wrongdoing Concerns (MW): Concerns related to violations of TVA conduct, ethics codes and policies or violations of Federal or State laws or regulations.

Protected Activity: Identification and communication of an issue that is believed to impact any aspect of site activities.

Safety Conscious Work Environment (SCWE): Work environment where employees are encouraged to raise safety concerns to their own management or other internal and/or external organizations without fear of retaliation--where concerns are promptly reviewed, appropriately resolved and timely feedback is provided to those raising concerns.

Technical Concerns (TECH): Concerns related to the technical adequacy of critical systems, structures, components or programs (including those related to worker safety).

Adverse Action: An act or action taken by an employer against an employee that works to the employee's detriment in some aspect of his or her employment. This could include a discharge, involuntary reduction in force, suspension, change in shift, removal of site or IT access, and other actions that relate to compensation, terms, conditions, or privileges of employment.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 13 of 14
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5.0 DEFINITIONS (continued)

Identification and reporting the following activities are protected:

- Violation of state or federal law or regulation
- Economic waste
- Gross misconduct, mismanagement, incompetence or inefficiency
- Abuse of authority
- Danger to the health or safety of workers or the public, environment or security
- Willful omission
- A violation of policy, procedure or work practice

Problem Evaluation Report (PER): The document used to document and resolve conditions adverse to quality (CAQs) and significant conditions adverse to quality (SCAQs)

Corrective Action Program (CAP): The systematic process used to find, analyze, and fix performance gaps and near misses such that overall performance is improved.

TVA Standard Programs and Processes	Expressing Concerns and Differing Views	TVA-SPP-11.8.4 Rev. 0008 Page 14 of 14
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**Source Notes
(Page 1 of 1)**

Requirements Statement

Source Document

**Implementing
Statement**

This document does not contain internal or external commitments or requirements.