

<p>CESO</p> <p>OCE</p> <p>Supplement to Army Regulation No. 385-40 (CH1)</p>	<p>Department of the Army U.S. Army Corps of Engineers Washington, DC 20314-1000</p>	<p>AR 385-40 (CH1)</p> <p>30 March 1990 (original) 1 April 1993 (change 1)</p>
	<p>Safety</p> <p>ACCIDENT REPORTING AND RECORDS</p>	
	<p>Distribution Restriction Statement Approved for public release; distribution is unlimited.</p>	

Change 1, USACE Suppl 1 to AR 385-40

CESO-0
DEPARTMENT OF THE ARMY
US Army Corps of Engineers
Washington, DC 20314

C1 to USACE Supplement 1
to AR 385-40

1 April 1993

Safety
ACCIDENT REPORTING AND RECORDS

1. This change to USACE Suppl 1, 30 March 1990, to AR 385-40, 1 April 1987, directs that USACE Freedom of Information (FOIA) requests for information from, or copies of, limited use accident investigation reports or Class A-C general use reports be referred to US Army Safety Center (USASC) for a FOIA release determination.
2. New or changed material is indicated by an asterisk.
3. Substitute the attached page as shown below.

Remove page

3,4

Insert page

3,4 and 4a

4. File this change in front of the publication for reference purposes.

FOR THE COMMANDER:



WILLIAM D. BROWN
Colonel, Corps of Engineers
Chief of Staff

CESO
DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Washington, DC 20314-1000

USACE Suppl 1
to AR 385-40

USACE Supplement 1
to AR 385-40

30 March 1990

Safety
ACCIDENT REPORTING AND RECORDS

Supplements to this regulation by commanders of field operating activities (FOAs) are permitted but are not required. If supplements are issued, FOA commanders will furnish one copy of each to CDR, USACE, ATTN: CESO, Washington DC 20314-1000.

This supplement and AR 385-40 prescribe Safety and Occupational Health Office accident reporting and recording requirements for all U.S. Army Corps of Engineers activities and operations.

AR 385-40, 1 April 1987, is supplemented as follows:

Page 3, Paragraph 1-1. Purpose. Add "and U.S. Army Corps of Engineers (USACE)," after the word "Army" in the first sentence.

Page 3, Paragraph 1-1. Purpose. In paragraph 1-1c change Army Safety Management Information System (ASMIS) to (Corps of Engineers) Safety Information Management System (SIMS).

Page 3, Paragraph 1-3. Explanation of abbreviations and terms. Change to the following:

1-3. Explanation of abbreviations and terms.

a. Abbreviations and special terms used in this regulation are explained in the glossary.

b. The term Army also means USACE.

c. The term ASMIS is changed to SIMS.

d. The term HQ-SIMS refers specifically to the USACE-wide SIMS database at headquarters level (as opposed to FOA-level SIMS databases).

e. References to DA Form 285 and DA Form 285-1 are changed to ENG Form 3394, USACE Accident Investigation Report (RCS: CEEC-S-8).

f. References to HQDA (DAPE-HRS), Wash DC 20310 are changed to HQUSACE, ATTN: CESO, Washington DC 20314-1000.

g. References to installations are changed to USACE administered facilities.

This supplement supersedes USACE Suppl 1 to AR 385-40, 14 October 1988.

USACE Supplement 1
to AR 385-40
30 Mar 90

Page 3, Paragraph 1-4. Responsibilities. Add paragraphs 1-4g, h, i, and j.

g. The Chief, SOH Office, USACE, establishes reporting requirements for the US Army Corps of Engineers. The Chief, SOH Office, USACE, will--

(1) Develop accident reporting and recording policy for the corps of Engineers.

(2) Develop and maintain the Corps of Engineers Safety Information Management System (SIMS).

(3) Analyze HQ-SIMS information to identify accident cause factors and trends and develop command-wide accident prevention measures.

(4) Forward USACE accident reports, records, and associated data required by AR 385-40 to Commander, USASC, Ft. Rucker, AL, for entering into ASMIS.

(5) Provide guidance within the Corps on accident reporting and recording.

(6) Provide liason with the US Army Safety Center on releasing information from or copies of accident reports; be the releasing authority for all USACE abstracts.

h. The USACE Office of Chief Counsel will provide federal tort claim data to the SOH Office, USACE, for purposes of centrally computing the total cost of an accident,

i. Commanders of divisions and laboratories will--

(1) Review all accident and exposure data, prior to submission to SOH Office, USACE, for quality, accuracy, and thoroughness of accident investigation and reporting.

(2) Ensure that recordable accidents occurring within their command are entered in HQ-SIMS within thirty days of the occurrence of the accident.

(3) Ensure that exposure data is entered in HQ-SIMS at least quarterly. Exposure data include government and contractor employee work-hours, public visitor-days, motor vehicle mileage, hours of flying time, and number of flights.

(4) Analyze division/laboratory-wide SIMS information to identify accident cause factors and trends and develop systemic accident prevention measures.

j. Commanders at FOA level will--

(1) Ensure that accidents are investigated and analyzed to the extent needed to identify cause factors and systemic deficiencies and to develop countermeasures to prevent recurrence of similar accidents.

(2) Ensure that for all reported property damage accidents, the first page (except item 10 when written in the first-person) of ENG Form 3394 is forwarded from the FOA SOH Office to the FOA Logistics Office. In return, Logistics will provide accident cost data to the SOH Office.

(3) Ensure that a report of serious accident is completed for each Class A or B accident and forwarded to SOH Office, USACE in accordance with the requirements of paragraph 3-4(b)(2) of this supplement, within twenty-four hours of the occurrence of the accident.

(4) Ensure that an abstract (see appendix D) is completed for each Class A or B accident and forwarded to SOH Office, USACE, via electronic mail, within 45 days of the occurrence of the accident.

(5) Conduct line-of-duty investigations to ascertain the duty status of government employees sustaining an accident while on temporary duty.

Page 3 Paragraph 1-6. Determining accountability for Army Accidents. Change paragraph 1-6b(4) to the following:

(4) Accidents caused by environmental factors (for example, high winds, hail, lightning, flooding) will be reported and recorded in SIMS and will be charged to the activity owning or having operational control of the equipment or to which the involved persons are assigned.

Page 4 Paragraph 1-8. Accident investigation board appointing authority. Change paragraph 1-8a to the following:

a . Accident investigation boards will be appointed in accordance with the provisions of paragraph 5-2 of this regulation and Chapter 4 of AR 15-6.

(1) When personnel or material involved in an accident are from differing FOAs, the decision on who will appoint the board will be made by the first officer in both chains of command or by the commander, USACE.

(2) When an accident occurs away from the responsible

USACE Suppl 1
to AR 385-40
Change 1
1 Apr 93

unit's FOA, the commander who would normally appoint the board may request the commander of the FOA in which the accident occurred to appoint the board. Coordination for such a transfer of authority should include specific agreement on funding the cost of the investigation.

Page 2, Paragraph 1-10. Release of information from accident investigation reports. Change paragraph 1-10a to the following:

* a. Requests under the provisions of the Freedom of Information Act (FOIA) for information from, or copies of, limited-use, or Class A, B, or C general-use government employee, government property, or military accident (including civil works accidents) investigation reports will be referred to the Commander, U.S. Army Safety Center, ATTN: CSSC-ZJA, Fort Rucker, AL 36362-5363. The USASC commander has been delegated authority to act as the initial denial authority on requests for information from safety records.

b. Requests for Class D investigation reports for general-use government employee, government property, or military accident (including civil works accidents) investigation reports and all classes of contractor and public accident investigation information will be initially reviewed at the FOA level by the FOIA officer. If the FOA SOH and FOIA officers concur that release of specific information will not be detrimental to the government, the FOIA officer may release that part of the document. Recommendations and conclusions will not be released without HQUSACE SOH approval. If cause to withhold information under a FOIA exemption is found, the FOIA officer will forward a recommendation for denial (along with a copy of the requested information) through channels to the HQUSACE FOIA Officer, ATTN: CECC-K, Washington, DC 20314-1000. If the HQUSACE SOH and FOIA officers concur or determine that the information should be withheld, the recommended denial request will be forwarded to the Commander, U.S. Army Safety Center for an initial denial determination.

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Page 5, Paragraph 2-2. Classification procedures. Add paragraphs 2-2g, h, i, and j.

g. Damage to contractor or subcontractor property which occurs incident to an operation, project, or facility for which EM 385-1-1 is applicable.

h. Lost-time contractor or subcontractor injuries or occupational illnesses which occur incident to an operation, project, or facility for which EM 385-1-1 is applicable.

USACE Suppl 1
to AR 385-40
30 Mar 90

i. Injuries that result in death or permanent total disability to recreational visitors at USACE-owned or operated property or facilities. (See appendix F).

j. Injuries and property damage accidents occurring to service, supply, or research and development contractor employees which are sustained by on-duty personnel while they are engaged in work at the project site.

Page 6, Paragraph 2-3. Accident Classes. Add "/contractor" after the word "Army" in paragraphs 2-3a, b, c, and d.

Page 6, Paragraph 2-3. Accident Classes. Change \$10,000 in paragraphs 2-3c and d to \$1000.00.

Page 6, Paragraph 2-8. Types of Accidents. Change last sentence in paragraph 2-8f to "On ENG Form 3394 these accidents will be coded in Section 9."

Page 6, Paragraph 2-8. Types of Accidents. Add paragraph 2-8f(1) e.

e. Damage to protective features of floating plant and marine structures such as fenders, dolphins and guardrails.

Page 6, Paragraph 2-8. Types of Accidents. Add paragraphs 2-8q, r, and s.

q. Public Accidents. Injuries that result in death or permanent total disability to recreational visitors at USACE-owned or -operated property or facilities. Non-fatal injuries that could result in claims against the government may be reported at the discretion of the FOA commander. (See appendix F.)

r. Contractor Property Damage Accidents. Damage to contractor or subcontractor property which occurred during the performance of the contract at the project site. Accidents resulting in damage less than \$1,000 are not recordable.

s. Contractor Injury/Occupational Illness. A lost-time injury or occupational illness sustained by on-duty contractor or subcontractor personnel while they are engaged in work at the project site.

Page 7, Paragraph 2-9. Occurrences not constituting an Army accident. Add paragraph 2-9g.

g. Contractor employee injuries, occupational illnesses, and property damage accidents which occur away from, and involve activities unrelated to, the Corps project on which the contractor is employed.

Page 7, Paragraph 2-10. Reportable injuries and occupational illnesses. Replace paragraph 2-10 with the following:

2-10. Reportable injury and occupational illness classifications. Reportable injuries and occupational illnesses fall into one of the following categories (see glossary for definitions):

USACE Supplement 1
to AR 385-40
30 Mar 90

- a. Fatality, including missing and presumed dead.
- b. Permanent total disability.
- c. Permanent partial disability.
- d. Lost workday case involving days away from work.
- e. Recordable case without lost workdays.
- f. Recordable first aid case.
- g. Non-recordable injury/illness.

Page 7, Paragraph 2-10. Reportable injuries and occupational illnesses. Add paragraphs 2-10j, k, and l.

j. Contractor, including subcontractor, lost-time injuries or occupational illnesses (for contracts on which EM 385-1-1 is applicable) which are sustained by on-duty personnel while they are engaged in work at the project site.

k. Injuries that result in death or permanent total disability to visitors recreating at USACE owned property or facilities. (See appendix F.)

l. Injuries and property damage accidents occurring to service, supply, or research and development contractor employees which are sustained by on-duty personnel while they are engaged in work at the project site.

Page 8, Paragraph 2-13. Personnel classifications. Add paragraphs 2-13m, n, and o.

m. Contractor personnel. On duty contractor and subcontractor personnel engaged in work at the project site.

n. Members of the public. Visitors recreating at USACE owned property.

o. Volunteers. Volunteers engaged in the Corps of Engineers Resource Volunteers Program.

Page 8, Paragraph 2-14. Rates. Replace with the following.

2-14. Injury and accident rates.

a. Civilian employee lost-time injury rate. The civilian employee lost-time injury rate is the number of recordable lost-time (including fatal) injury and occupational illness cases

for each 200,000 work-hours of exposure during a specified period. The number of cases is derived from the new case create breakdown report (lost-time and fatal cases) provided by OWCP. Exposure is derived from the USACE monthly civilian utilization report provided by USACE Resource Management Office.

b. Civilian employee total OWCP case rate. The civilian employee total OWCP case rate is the number of recordable OWCP cases for each 200,000 work-hours of exposure during a specified period. The number of cases is derived from the new case create breakdown report (total cases) provided by OWCP. Exposure is derived from the USACE monthly civilian utilization report provided by USACE Resource Management Office.

c. Army motor vehicle accident rate. The Army motor vehicle accident rate is the number of cases (Army motor vehicle accidents only, does not include private owned vehicles - see paragraph 2-4) for each 1,000 miles of vehicle mileage during a specified period. The number of cases and vehicle mileage information are derived from FOA exposure report input in SIMS.

d. Contractor lost-time injury rate. The contractor lost-time injury rate is the number of lost-time injuries for each 200,000 work-hours of exposure during a specified period. The number of cases and exposure information are derived from FOA exposure report input in SIMS.

e. Public fatality rate. The public fatality rate is the number of public fatalities (not permanently disabling injuries) for each 1,000,000 visitor-days of exposure during a specified period. (To convert from visitor-hours to visitor-days, divide visitor-hours by twelve.) The number of fatalities and exposure information are derived from FOA exposure report input in SIMS.

Page 9, Paragraph 3-3, Recordable accidents. Change to read:

3-3. Recordable accidents. The following categories of accidents are recordable in HQ-SIMS within thirty days of the occurrence of the accident:

a. All Class A, B, and C Army/contractor property damage and injury and occupational illness accidents. (See paragraph 2-3. The dollar value threshold for USACE Class C property damage accidents is \$1,000, not \$10,000.)

b. All Class A, B, and C Army aircraft accidents. (See paragraphs 4-6a through 4-6c.)

c. All accidents that result in injury or occupational illness to civilian employees while in on-duty (compensable)

USACE Supplement 1
to AR 385-40
30 Mar 90

status when DOL Forms CA-1 and CA-2 are submitted to the Office of Workers Compensation Programs.

Page 9, Paragraph 3-4b(2). Notification of Army accidents.
Change to read:

(2) Notify SOH Office, USACE, ((202) 272-0091) during duty hours (or the USACE Duty Officer at DA Operations Center, (202) 697-0218 during non-duty hours) of government or. contractor Class A or B accidents. Then, but only for government employee Class A or B accidents, notify the commander, US Army Safety Center, commercial (205) 255-2660/4273, FTS 539-2660/4273, or AUTOVON 558-2660/4273. A written copy of the notification will be sent, via facsimile, to SOH Office, USACE, at (202) 272-1369. All notifications will be made as soon as possible but no later than twenty-four hours of the occurrence of the accident. As a minimum, notification will include the following information:

- (a) Type of accident.
- (b) Location of accident.
- (c) Date and time of accident.
- (d) Summary of accident.
- (e) Estimated injuries/dollar losses and impact on operations.
- (f) Status of formation of board of investigation.
- (g) Name, position, office, and phone number of individual reporting the accident.

Page 10, Paragraph 3-5. Investigating and reporting of Army accidents (RCS CSGPA-147(R4)). Change paragraph 3-5a(2) to the following:

(2) The appropriate report is prepared on each accident in accordance with instructions in this chapter and appendix E and forwarded without delay. These reports may include ENG Form 3394; DOL Forms CA-1, CA-2, and CA-6; DD Form 2324; and DA 2397-R series forms. All reports will be sent through the appropriate FOA Safety and Occupational Health Office.

Page 10, Paragraph 3-5. Investigating and reporting of Army accidents (RCS CSGPA-147(R4)). Add new sentence to end of paragraph 3-5c:

ENG Form 3394 will, however, continue to be completed for USACE

civilians, direct hires, or others when the submission of DOL Forms CA-1, CA-2, or CA-6 is required.

Page 10, Paragraph 3-5. Investigating and reporting of Army accidents (RCS CSGPA-147(R4)). Delete paragraph 3-5c(3). Replace paragraph 3-5c(2) with the following:

(2) Fatal accidents incurred by Army civilians in compensable work status will be reported as outlined in paragraph 3-4b(2) of USACE Supplement 1 to AR 385-40.

Page 10, Paragraph 3-5. Investigating and reporting of accidents (RCS CSGPA-147(R4)). Replace paragraph 3-5m(7) with the following:

(7) Accident reports will be entered in HQ-SIMS within thirty calendar days of the occurrence of the accident.

Page 10, Paragraph 3-5. Investigating and reporting of Army accidents (RCS CSGPA-147(R4)). Add paragraph 3-5m(8).

(8) When accidents are not recorded in HQ-SIMS in the fiscal year in which they occur (as may happen with those occurring towards the end of a fiscal year), the following rules apply:

(a) If the accident is entered in HQ-SIMS by 15 October of the following fiscal year, it will be recorded in the fiscal year in which it occurred.

(b) If the accident is entered in HQ-SIMS after 15 October of the following fiscal year, it will be recorded in the fiscal year in which it was recorded in HQ-SIMS.

Page 10, Paragraph 3-5. Investigating and reporting of Army accidents (RCS CSGPA-147(R4)). Replace paragraph 3-5n with the following:

n. In accordance with 20 CFR Section 10.407, the Medical Examiner of Office of Workers* Compensation Programs may authorize medical examinations, at the expense of the Compensation Fund, that are deemed reasonable and necessary to determine cause of death or the merits of a claim that has been or will be filed. Such medical examinations shall consist of the pathological examination of removed tissue or postmortem examination. If a postmortem examination has not been ordered by the Coroner or local Medical Examiner, the appropriate state law must be complied with in regard to obtaining permission for such examination. The OWCP regional or district office shall be contacted when requesting the postmortem examination of a civilian employee.

USACE Supplement 1
to AR 385-40
30 Mar 90

Page 12, Paragraph 3-8. DA Form 2398 (Summary of Accident Exposure) (RCS CSGPA-646(R2)). Add paragraph 3-8c.

c. Divisions and laboratories will report exposure data at least quarterly on the format provided in HQ-SIMS. (Divisions will enter exposure data for all FOAs within the division.) Data will be entered cumulatively throughout the fiscal year. Quarterly data will be entered by the 20th of the month following the end of the quarter.

(1) Government employee exposure will be divided into two categories: military work-days and civilian employee work-hours (SOH Office, USACE, will also maintain an accounting of civilian employee exposure derived from the USACE Monthly Civilian Utilization Report).

(2) Government employee motor vehicle mileage includes mileage for Army motor vehicles - as defined in paragraph 2-4 - not private motor vehicles.

(3) Government property damage includes all Class C (\$1,000 threshold) or higher property damage (including POV) accidents, excluding AMV accidents (see paragraph 2-4). AMV accident and exposure data are accounted separate from government property damage.

(4) Government and contractor lost-time injuries do include fatal injuries but do not include non lost-time injuries.

(5) Contractor employee exposure will be divided into five categories: construction; dredging and related activities; service contracts; hazardous/toxic waste activities; and other activities. Only that exposure incident to contracts in which EM 385-1-1 is applicable shall be considered contractor exposure.

(6) Public visitation is in visitor-days (to convert from visitor-hours to visitor-days, divide visitor-hours by twelve).

Page 17, Paragraph 5-2. Accident investigation boards. Change to read:

5-2. Accident Investigation Boards.

a. An independent board of investigation will be appointed, in accordance with AR 15-6, to investigate the following type accidents which occur as a direct result of U.S. Army Corps of Engineers or U.S. Army Corps of Engineers contractor operations. (Boards need not be appointed in the event an accident is to be investigated by the US Army Safety Center or those marine

accidents investigated by the Office of Marine Inspections, U.S. Coast Guard (OMIUSCG).)

- (1) Class A and B accidents (except public accidents).
- (2) Class C accidents which result in property damage of \$50,000 or more.
- (3) Any accident which the FOA commander, at any level, determines warrants a board investigation due to its complexity or its potential for negative impact on the Corps.

b. The board will consist of at least three voting members; in addition, non-voting advisors will be appointed to facilitate the investigation. The president will be a field grade officer or DA civilian in the grade GS-13 or higher. The selection of board members will be based on their understanding of the circumstances and events surrounding the accident and their ability to analyze accident causation and prescribe corrective measures to preclude future occurrences of similar accidents. The board president and members will not be selected from the FOA incurring the accident and will be screened to ensure that no member of the board has an interest in the accident that may bias the outcome of the investigation.

c. For district-level boards, the board president and members will be appointed by the appropriate division commander; for laboratory-level boards, the board president and members will be appointed by the Director of Research and Development, USACE; for division-level boards, the board president and members will be appointed by the Commander, USACE. However, members from the FOA incurring the accident may be designated as advisors (non-voting) to facilitate the investigation of the accident. A representative of the FOA SOH Office from the FOA incurring the accident will serve on the board as technical advisor on accident investigation and reporting and technical safety requirements.

d. Both members and advisors will be appointed on orders. The orders will specify that:

- (1) Board members are to be relieved of their regular duties, so that they may give priority to the accident investigation, until such time as the board report is submitted to the FOA commander for final approval.
- (2) Board members and advisors are responsible for following the provisions of this supplement and AR 385-40 dealing with the safeguarding of limited use accident investigation reports.

e. Investigation, analysis, and preparation of board

USACE Supplement 1
to AR 385-40
30 Mar 90

reports will involve only those members and advisors, including their clerical support, specified in the board appointment orders. The report will not be staffed through or reviewed by other FOA (at any level) elements or individuals. The report will be submitted by the president of the board, through the commander of the FOA incurring the accident, to the commander appointing the board.

f. The board of investigation or OMIUSCG report will be attached as the first enclosure to the accident report, ENG Form 3394, and will be forwarded, no later than forty-five calendar days following the occurrence of accident, through command channels to SOH Office, USACE. The accident report will be forwarded with a letter of transmittal signed by the commander of the FOA experiencing the accident. The letter of transmittal will:

(1) Include the commander*s concurrence or nonconcurrence with the report*s findings and recommendations.

(2) Include an implementation plan for corrective actions taken or proposed to satisfy the Board*s recommendations. The implementation plan will state how, when, and by whom the corrective actions were/will be implemented and state any recommendations for additional actions by higher headquarters or other agencies.

g. When an intermediate commander (e.g., division commander) is in the chain of command, a letter of transmittal, indicating concurrence or nonconcurrence with the FOA commander*s letter of transmittal, will accompany the accident report to SOH Office, USACE.

h. For contractor accidents, approved recommendations of the board and any additional actions deemed necessary by the FOA commander and his staff will be forwarded, by the contracting officer or his representative, to the contractor for implementation. The contractor shall be given a suspense date for complete implementation of the recommendations and required to formally notify, in writing, the FOA commander how and when complete implementation is attained.

i. For all board reports, the FOA commander will submit, to the commander at the next level and no later than three months following submission of the report, a letter detailing the means of implementation of the recommendations and/or the status of those yet to be fully implemented.

j. Guidance on boards of investigation is included at appendix D.

Page 17, Paragraph 5-4. Accident Scene Preservation. In second sentence, change "Class A ground accidents" to "Accidents requiring a board of investigation".

Page 19. Add new paragraph 5-13.

5-13. Abstract reports.

a. Abstracts of accident reports will be prepared for:

(1) All accidents requiring a board of investigation.

(2) Any accident not requiring a board of investigation when it is felt, by the SOH officials preparing or reviewing the report, that information on the accident causation findings and recommendations for corrective action would be of benefit to other USACE SOH offices.

b. Abstract reports will be prepared in accordance with the guidance contained in appendix D, paragraph 2.f. SOH Office, USACE, retains the authority for release of abstract reports. Abstract reports will be electronically forwarded to the SOH Office, USACE, for review and dissemination to Corps FOAs.

c. In writing abstracts for board of investigation reports the identity of the accident will not be revealed: individuals will be referred to by job titles or assignments, not their names, and locations will be listed generically, e.g., construction of multi-story barracks, rehabilitation of lock wall, driving motor vehicle on state road, etc. Statements of conclusions on accident causation or recommendations for corrective actions will be prefaced by the following: "It is the opinion of this board that the following direct and indirect factors led to the occurrence of this accident." or "It is the opinion of this board that implementation of the following corrective actions will reduce the probability of future occurrences of similar accidents."

Page 33, Glossary. Section I, Abbreviations. Add the following:

CDR
Commander

COP
Continuation of Pay

CPO
Civilian Personnel Office

USACE Supplement 1
to AR 385-40
30 Mar 90

FOA
Field Operating Activities

SIMS
(Corps of Engineers) Safety Information Management System

SOH
Safety and Occupational Health

SOH Office, USACE
Safety and occupational Health Office, Headquarters, USACE

Page 34, Glossary, Section II, Terms. Add following sentence to the definition of first aid:

Interpretations of first aid for certain types of injuries are given in appendix G.

Page 34, Glossary, Section II, Terms. Delete the definition of nonfatal case without lost workdays. Add the following definitions:

RECORDABLE CASE WITHOUT LOST WORKDAYS: accident, other than a lost-workday case, resulting in one or more of the following: transfer to another job or termination of employment; medical treatment greater than first aid; loss of consciousness; restriction of work or motion; or diagnosis of occupational illnesses which are reported to the employer but are not classified as a fatality or lost-workday case.

RECORDABLE FIRST AID CASE: case in which no leave or continuation of pay is charged to the employee, no medical expense is incurred, but which requires:

one or more visits – for examination or treatment – to a medical facility during working hours beyond the date of injury, or,

two or more visits – for examination or treatment – to a medical facility during non-duty hours beyond the date of injury.

NON-RECORDABLE INJURY: includes cases where injured does not receive medical treatment at all or obtains medical care only on the date of injury: no medical treatment is obtained after the date of injury and no time loss charged to either leave or continuation of pay. No OWCP claims are filed.

FOR THE COMMANDER:



ALBERT J. GENETTI

Colonel, Corps of Engineers
Chief of Staff

4 Appendices

- App D - Guidance on Board of
Investigation Reports
- App E - Reporting Civilian
Employee Injuries and
Illnesses
- App F - Public Accidents
- App G - Interpretation of First
Aid for Certain Types
of Injuries

APPENDIX D

Guidance on Board of Investigation Reports

1. The purpose of a board of investigation report is to identify the causes (indirect and direct) of, and the factors contributing to, the accident and to recommend corrective actions to preclude future occurrences of similar accidents. Determination of accident causes and contributing factors (and their ensuing corrective actions) will:

a. Target all levels of involvement, i.e., employee, supervisory, managerial; FOA, division, or headquarters, USACE levels; Corps and contractor.

b. Target systemic deficiencies (e.g., design, inspection and maintenance, operating procedures, training, supervision, safety compliance and monitoring, human factors, environmental factors, motivational factors, and drug/alcohol consumption).

2. Board reports should contain the following information and be in the following format. The first three categories, GENERAL, DESCRIPTION, AND FINDINGS, list factual information and may be printed together. The final two categories, CONCLUSIONS and RECOMMENDATIONS, are based, in part, on conjecture and each should be printed on separate pages to facilitate their removal in the event the board report is released.

a. GENERAL. Describe the reason for formation of the board and the convening of the board. Specify the authority under which the board was formed and operated. List the board members and advisors by name, title, and organizational element. Give a very brief (short paragraph) summary of the accident. Describe the relationship between USACE and the subject of the investigation.

b. DESCRIPTION. Give the scenario of the accident, describing the factual details.

c. FINDINGS. List all relevant factual findings of the investigation.

d. CONCLUSIONS. List the board*s conclusions as to the causes, direct and indirect, of the accident. With regards to standards and operational procedures, reports will identify the following:

(1) Standards or procedures were incomplete, unclear, impractical, or did not exist.

(2) Standards or procedures exist but were not known or ways

USACE Supplement 1
to AR 385-40
30 Mar 90

to achieve them were not known.

(3) Standards or procedures were known but were not enforced, and the reasons the standards were not enforced.

(4) Standards or procedures were known but were not followed, and the reasons the standards were not followed.

e. RECOMMENDATIONS. For each causal factor, direct or indirect, the board will recommend actions to preclude their future occurrence. As appropriate, recommendations will target all levels of involvement, i.e., employee, supervisory, managerial; FOA, division, or headquarters, USACE levels; Corps and contractor.

f. ABSTRACT REPORT. An abstract of the accident in the following format, which will only include factual information:

- (1) Type of location.
- (2) Date and Time.
- (3) Agency directly causing the accident.
- (4) Personnel and equipment categories.
- (5) Details of occurrence.
- (6) Nature and number of injuries and property damage.
- (7) Causes, direct and indirect.
- (8) Remarks.
- (9) Recommendations for corrective actions to preclude future occurrences of similar accidents (one for each direct and indirect cause identified in (7)).

g. APPENDICES. The report should include photographs, sketches, diagrams and other exhibits such as inspection reports, accident prevention programs, training documents, etc., necessary to present a clear picture.

3. Testimony of witnesses will be summarized and witnesses will only be identified by job title or assignment. Verbatim, signed, or personally identifying statements will not be included in the board reports or in supporting documents or files.

APPENDIX E

Reporting Civilian Employee Injuries and Illnesses⁺

When a civilian employee sustains a work-related injury or illness he will immediately notify his supervisor. The supervisor will contact the FOA*s designated Federal Employees* Compensation Program (FECA) Program Administrator for instructions on obtaining medical treatment and completing and filing the required forms. (Forms are described on page E-5.)

TRAUMATIC INJURY.

1. Notice of Injury. The employee (or person acting on his behalf) and supervisor will complete Form CA-1. If the supervisor determines that the injury was medically related and warrants medical care, the supervisor will authorize the medical care in accordance with paragraph 2, below. If the employee incurs medical expense or loses time from work beyond the date of injury the FOA FECA Program Administrator will submit the Form CA-1 to the Office of Workers* Compensation Programs (OWCP) district office: otherwise the form should be retained in the employee*s Employee Medical Folder in accordance with OWCP requirements.

a. The supervisor will review the form for completeness and accuracy and assist the claimant in correcting any deficiencies.

b. The supervisor will advise the employee:

(1) Of his right to continuation of pay (COP) or annual or sick leave;

(2) Of his right to select the physician or facility which is to provide treatment.

(3) Whether COP will be controverted, and if so, the basis for the controversion and whether pay will be terminated;

(4) Of the employee*s responsibility to submit medical evidence establishing the fact of disability within ten working days or risk termination of COP;

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This appendix describes the procedures and forms for reporting civilian employee injuries and illnesses. The intent is to provide employees and supervisors with guidance on the safety and occupational health, not Workers* Compensation, requirements of such reporting. Information on processing OWCP claims, obtaining medical care and compensation, etc., can be obtained from the FOA*s Federal Employees* Compensation Act (FECA) Program Administrator.

USACE Supplement 1
to AR 385-40
30 Mar 90

(5) To obtain, from the medical care provider, a description of work restrictions if light duty is available and, when a specific job has been identified for the employee*s light duty, to seek the medical care provider*s approval of the job. See paragraph 2.c., below.

c. The supervisor will complete his portion of Form CA-1 and sign and return to the employee the "Receipt of Notice of Injury" attached to the form.

d. The supervisor will complete USACE Accident Investigation Report, ENG Form 3394, through block 15. A copy of the completed ENG Form 3394 will be attached to the original Form CA-1 and forwarded to the FOA Safety and Occupational Health Office as expeditiously as possible. The original of the completed ENG Form 3394 shall be forwarded, with its instructions, through management channels as indicated on the form.

e. The Safety and Occupational Health Office will encode the following information on the original Form CA-1. Upon completion of the encoding (but within three working days of its receipt) the Safety and Occupational Health Office will make a copy of the completed Form CA-1 and forward the original to the FOA FECA Program Administrator.

(1) Type and source code (shaded items b. and c. on Form CA-1) from item 5.g. on ENG Form 3394.

(2) If applicable, enter "first aid case" on the upper-right corner of page 2. The Safety and Occupational Health Office shall review the accident information and determine if the accident should be classified in accordance with the definition of first aid case as given in this supplement.

(3) OSHA site code (item 17 on page 2), which is the FOA*s Unit Identification Code (UIC). If the FOA has been assigned both a civil and military UIC, the military UIC will be used; if the FOA has been assigned only a civil UIC, the civil UIC will be used. In the event an FOA has sub-elements (e.g., area offices or detachments) and the sub-elements have their own unique UIC, the UIC of the sub-element will be used when reporting accidents occurring within them.

f. The Safety and Occupational Health Office will review the USACE Accident Investigation Report, ENG Form 3394, to ensure:

(1) All required information is provided and correct, obtaining omitted information or information updates as required.

(2) That the severity of injury/illness as indicated on the

accident report form is correct.

(3) That accident causation correctly addresses operational and managerial deficiencies and the actions taken, anticipated, or recommended to eliminate causes are effective.

g. Upon receipt of the CA-1 from the Safety and Occupational Health Office, the FOA*s FECA Program Administrator will:

(1) Review the completed form for sufficiency and coordinate unresolved deficiencies with the injured employee and supervisor.

(2) Encode the occupation code (shaded item a. on Form CA-1). This code is made up of the two letters designating the employee*s pay plan and the four numbers of the employee*s occupational series.

(3) Encode the OWCP agency code (item 17 on page 2). The OWCP agency code for USACE employees is "3493" plus the servicing CPO two-digit alpha identifier code. Do not use the USACE agency code for injured non-USACE employees that are serviced by the servicing CPO.

(4) Enter the employee*s duty station zip code in item 18 on page 2. The zip code indicated in this block must be the zip code of the employee*s duty station at the time of the injury, not the zip code of a reporting office processing compensation forms: duty station is defined as the building or other place (base, post, or activity) where an employee regularly reports for duty. Those employees whose official duty station does not have a zip code (e.g., employees whose official duty station is a dredge) shall use the zip code of the unit or section, as applicable, to which they are assigned. For an employee officially detailed (not TDY) to another duty station, use the zip code for the detail duty station.

2. Medical Care. If an employee requires medical care because of a work-related injury, the supervisor will promptly complete his portions of Forms CA-16, CA-17, and OWCP-1500a and accompany the employee to the medical care provider.

a. The supervisor is responsible for providing the medical care provider with Forms CA-16, CA-17, and OWCP-1500a, to be completed by the supervisor and the provider. Upon completion of the medical care, the supervisor will retain a copy of the Form CA-17 and forward the Forms CA-17, CA-20, and CA-20a to the FOA*s FECA Program Administrator. The medical care provider will forward Forms CA-16 and OWCP-1500a to the OWCP district office.

b. For all cases sent to OWCP, a medical report from the attending physician is required. This report may be made on Form

USACE Supplement 1
to AR 385-40
30 Mar 90

CA-16 or by a narrative report on the physician*s letterhead stationary, or in the form of an emergency room summary.

c. Form CA-17 will be used by the agency to obtain interim medical reports concerning the employee*s fitness for duty; it should be used initially with Form CA-16. The supervisor will complete his portion of the Form CA-17 describing the physical requirements of the employee*s job, attach a copy of the FOA*s Light-duty Program, and note the availability of any light duty. The medical care provider should monitor the employee*s medical status and ability to return to light or full duty and provide an original copy of Form CA-17 to the employee*s supervisor at reasonable (preferably weekly). intervals. The supervisor and FOA FECA program administrator are responsible for maintaining contact with both the medical provider and the injured employee to ensure the employee is returned to work as soon as he is medically able.

OCCUPATIONAL DISEASE.

1. Notice of Occupational Disease. The employee (or person acting on his behalf) and supervisor will complete Form CA-2. The employee should also complete the appropriate checklist on Forms CA-35a through CA-35h, as applicable, for the disease claimed. The supervisor will explain the need for detailed information to the employee and advise him to furnish the supporting medical and factual information requested on the checklist: this information shall accompany the appropriate Forms CA-35a through CA-35h when it is submitted.

a. The supervisor will:

(1) Review Form CA-2 for completeness and accuracy and assist the claimant in correcting any deficiencies found.

(2) Of his right to select the physician or facility which is to provide treatment.

(3) Advise the employee of the right to elect sick or annual leave or leave without pay pending adjudication of the claim.

(4) Complete his portion of Form CA-2 and sign and return to the employee the "Receipt of Notice of Injury" attached to the form.

(5) Complete USACE Accident Investigation Report, ENG Form 3394, through block 15. A copy of the completed ENG Form 3394 will be attached to the original Form CA-2 and forwarded to the Safety and Occupational Health Office as expeditiously as possible. The original of the completed ENG Form 3394 shall be

forwarded, with its instructions, through management channels as indicated on the form.

(6) Prepare a supporting statement to include exposure (monitoring) data, test results, copies of previous medical examinations, and/or witness statements, depending on the nature of the case. The appropriate checklist on Forms CA-35a through CA-35h may be used to coordinate compilation of material by FOA personnel, including compensation specialists and safety and occupational health personnel.

b. The Safety and Occupational Health Office will encode the following information on the original Form CA-2:

(1) Type and source codes (shaded items b. and c. on Form CA-2) from item 5.g. on ENG Form 3394.

(2) OSHA site code (item 17 on page 2), which is the FOA*s Unit Identification Code (UIC). If the FOA has been assigned both a civil and military UIC, the military UIC will be used; if the FOA has been assigned only a civil UIC, the civil UIC will be used. In the event an FOA has sub-elements (e.g., area offices or detachments) and the sub-elements have their own unique UIC, the UIC of the sub-element will be used when reporting accidents occurring within them.

Upon completion of the encoding (but within three working days of its receipt) the Safety and Occupational Health Office will make a copy of the completed Form CA-2 and forward the original to the FOA*s FECA Program Administrator.

c. The Safety and Occupational Health Office will review the USACE Accident Investigation Report, ENG Form 3394, to ensure:

(1) All required information is provided and correct, obtaining omitted information or information updates as required.

(2) That the severity of injury/illness as indicated on the accident report form is correct.

(3) That illness/disease causation correctly addresses operational and managerial deficiencies and actions taken, anticipated, or recommended to eliminate causes are effective.

d. Upon receipt of the CA-2 from the Safety and Occupational Health Office, the FOA*s FECA Program Administrator will:

(1) Review the completed form for sufficiency and coordinate unresolved deficiencies with the injured employee and supervisor.

USACE Supplement 1
to AR 385-40
30 Mar 90

(2) Encode the occupation code (shaded item a. on Form CA-2). This code is made up of the two letters designating the employee*s pay plan and the four numbers of the employee*s occupational series.

(3) Encode the OWCP agency code (item 17 on page 2). The OWCP agency code for USACE employees is "3493" plus the servicing CPO two-digit alpha identifier code. Do not use the USACE agency code for injured non-USACE employees that are serviced by the servicing CPO.

(4) Enter the employee*s duty station zip code in item 18 on page 2. The zip code indicated in this block must be the zip code of the employee*s duty station at the time of the injury, not the zip code of a reporting office processing compensation forms: duty station is defined as the building or other place (base, post, or activity) where an employee regularly reports for duty. Those employees whose official duty station does not have a zip code (e.g., employees whose official duty station is a dredge) shall use the zip code of the unit or section, as applicable, to which they are assigned. For an employee officially detailed (not TDY) to another duty station, use the zip code for the detail duty station.

2. Medical Care. Only in rare instances is medical care authorized by the employing agency in occupational disease claims. The agency must contact OWCP before issuing a Form CA-16 in such a claim.

FORMS. CA and OWCP forms can be obtained from the Government Printing Office: these forms can be reproduced. Submit purchase orders to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC, 20402.

1. CA-1, Federal Employee*s Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation.

2. CA-2, Federal Employee*s Notice of Occupational Disease and Claim for Compensation.

3. CA-16, Authorization for Examination and/or Treatment.

4. CA-17, Duty Status Report.

5. CA-20, Attending Physician*s Report.

6. CA-20a, Attending Physician*s Supplemental Report.

7. CA-35 series, Evidence Required in Support of Claim for:

a. -a, Occupational Disease.

- b. -b, Hearing Loss.
 - c. -c, Asbestos-related Illness.
 - d. -d, Work-related Coronary/Vascular Condition.
 - e. -e, Work-related Skin Disease.
 - f. -f, Work-related Pulmonary Illness (not Asbestosis).
 - g. -g, Work-related Psychiatric Illness.
 - h. -h, Work-related Carpal Tunnel Syndrome.
8. ENG Form 3394, USACE Accident Investigation Report.
9. OWCP-1500a, Federal Employee*s Compensation Program
Medical Provider*s Claim Form.

APPENDIX. F

Public Accidents

1. Reportability. The reportability of public accidents is as follows:.

a. Accidents resulting in fatal or permanent totally disabling injuries to recreational visitors at USACE-owned or -operated property or facilities must be reported.

b. Any accident, caused by USACE operations, to recreational or non-recreational visitors at USACE-owned or -operated property or facilities.

c. Accidents resulting in other than fatal or permanent totally disabling injuries to recreational visitors at USACE-owned or -operated property or facilities (e.g., cyclist injured after running into pothole in bike path) may be reported at the discretion of the FOA commander if such reporting would be of benefit in accident trend analysis or defense of tort claims or result in improvements to the facility*s design safety. If reported, such accidents will be entered into the SIMS.

d. Accidents resulting in injury to non-recreational visitors at USACE-owned or -operated property or facilities (e.g., driver of vehicle proceeding through Corps* property injured when car ran off road and into ditch during heavy rainstorm) may be reported at the discretion of the FOA commander if such reporting would be of benefit in accident trend analysis or defense of tort claims or result in improvements to the facility*s design safety. If reported, such accidents will be entered into the SIMS.

e. Geographical limits for reporting:

(1) Within lake project boundaries.

(2) On run-of-the-river projects where person(s) was/were using or attempting to use a Corps facility (e.g., boat ramp, picnic facility).

(3) Below dams to the point where the maximum discharge reaches maximum elevation (typically 300 - 1,000 feet below the structure) or at any distance when the discharge is a direct cause of the accident.

(4) Upstream of hydraulic structures to the point where warning devices are placed (typically 1,000 feet).

f. Incidents of criminal acts (e.g., murder, suicide,

USACE Supplement 1
to AR 385-40
30 Mar 90

assault) not involving a government employee will be reported through security and law enforcement, not safety and occupational health, channels and will not be included in SIMS.

2. Recordability. Only those accidents resulting in fatal or permanent totally disabling injuries to recreational visitors at USACE-owned or -operated property or facilities are required to be recorded in HQ-SIMS.

APPENDIX G

Interpretation of First Aid for
Certain Types of Injuries⁺

1. Cuts and lacerations. First aid treatment is limited to cleaning of the wound, soaking, application of antiseptic or nonprescription medication, and bandaging on the first visit. Follow-up visits are limited to observation, including changing of the dressing and bandage. Additional cleaning and application of antiseptic are permissible as first aid where required by work duties that are likely to soil the bandage. Application of butterfly closures, for cosmetic purposes only, can be considered first aid.
2. Abrasions. Same as for cuts and lacerations except that ointments can be added on follow-up visits to prevent drying and cracking of the skin.
3. Bruises. First aid is limited to a single soaking or application of cold compresses on a minor bruise. Follow-up visits are limited only to observation.
4. Splinters and puncture wounds. First aid is limited to cleaning of the wound, removal of a foreign object(s) by tweezers or other simple techniques, application of antiseptics and nonprescription medications, and bandaging on the first visit. Follow-up visits are limited to observation, including changing of the bandage. Additional cleaning and application of antiseptic are permissible as first aid where required by work duties that are likely to soil the bandage.
5. Burns, Thermal and Chemical (Resulting in destruction of tissue by direct contact). First aid is limited to cleaning or flushing of the surface; soaking; application of cold compresses, antiseptics, or nonprescription medications; and bandaging on the first visit. Follow-up visits are restricted to observation, changing of bandages, or additional cleaning. Most first-degree burns are amenable to first aid treatment.
6. Sprains and strains. First aid treatment is limited to soaking, application of cold compresses, and the use of elastic bandage on the first visit. Follow-up visits are for observation, possibly including reapplying a bandage.
7. Eye injuries. First aid is limited to irrigation, removal of foreign material not embedded in the eye, and application of

⁺ Adapted from ANSI Z16.4, American National Standard for Uniform Recordkeeping for Occupational Injuries and Illnesses.

USACE Supplement 1
to AR 385-40
30 Mar 90

nonprescription medications. A precautionary visit (special examination) to a doctor is still considered first aid if treatment is limited to the aforementioned items. Follow-up visits are for observation only.

8. Inhalation of toxic or corrosive gases. First aid is limited to removal of the employee to fresh air or the one-time administration of oxygen for several minutes.