

APPENDIX G  
ACCIDENT INVESTIGATION AND REPORTING POLICY AND PROCEDURES

1. Purpose. This appendix establishes the policies, procedures, and requirements which will govern the reporting of accidents occurring on District activities in compliance with OCE Supplement 1 to AR 385-40 and the basic regulation.

2. Applicability. This appendix applies to all Buffalo District employees, activities and Contractors.

3. Scope. A typed, completed, and properly executed ENG Form 3394, September 1989 (Accident Investigation Report) will be forwarded to the Safety and Occupational Health (S&OH) Office within five workdays after knowledge of occurrence for each type accident listed below:

a. Injuries to personnel. Accident reports are required covering injuries to civilian employees, contractor employees, and military personnel, with consequences as follows:

(1) Fatal Injuries.

(2) Permanent Total Disability. The complete loss of any member or part of a member of the body, or any permanent impairment of functions of the body or part thereof, to the extent that he or she cannot follow gainful employment.

(3) Temporary Total Disability. An injury which does not result in death, permanent total, permanent partial disability, but which does result in 1 or more days of disability (other than the day of the injury).

(4) Permanent Partial Disability. The complete loss of any member or part of a member of the body, or any permanent impairment of the functions of the body or part thereof.

(5) Other Injuries. Also all injuries/illnesses to Federal employees that result in filing a Worker's Compensation claim with the Department of Labor, either traumatic (CA-1) or occupational (CA-2)

b. Motor Vehicle Accidents. All accidents involving the operation (whether moving or halted) of any Army Vehicle that results in injury, damage to vehicle, or damage to any other property REGARDLESS OF THE AMOUNT OF DAMAGE. For the purpose of this regulation, "Army Vehicles" will include the following:

(1) All Corps of Engineers vehicles, regardless of whom was operating the vehicle at the time of the accident.

(2) Vehicles leased or rented and operated by Corps of Engineers personnel.

(3) Privately owned vehicles when used for official business, authorized by travel orders, and operated by Corps of Engineers personnel.

(4) General Service Administration (GSA) vehicles operated by Corps of Engineers personnel.

d. Private Property Damage. Accidental damage to private property, equipment, or material incident to a Corps of Engineers activity, regardless of the amount of damage, will be reported.

e. Other Accidents. Accident reports must be submitted covering accidental explosions; fires involving ammunition and other explosives; exposure to microwave or ionizing radiation; chemical exposures, and contamination or damage of property from biological, radiological, or chemical agents.

4. Safeguarding Accident Information. The completed ENG Form 3394 and any attachments or copies and extracts will not be appended to or enclosed in any report or document, unless the sole purpose of the other report or document is to aid in accident prevention. Requests for copies of completed accident reports will be in writing and forwarded to the S&OH Office.

5. Immediate Notification.

a. Immediate telephonic notification will be made to the S&OH Office of any accident resulting in any of the following consequences:

(1) Fatality or permanent total disability to or involving on-duty military, government, or contractor personnel; also off-duty if on the premises or incident to a Corps of Engineers' activity or operation.

(2) Accidents in which three or more persons are hospitalized.

(3) Damage of more than \$100,000.00 or more to Corps of Engineers or contractor property and/or equipment.

(4) Any mishap, regardless of the consequences, if it is suspected that it will result in unfavorable criticism of the Corps of Engineers or the Army, or provoke questions at the Washington level.

(5) Drivers of motor vehicles (para. 3c) when involved in a motor vehicle accident will make telephonic/radio report of the accident to their supervisor as soon as possible after the accident occurs. Supervisors, upon notification, will make an immediate report through supervisory channels to the appropriate functional Division/Staff Office. Division/Staff Office Chiefs will then ensure that the S&OH Office is notified immediately.

b. Notification will include, but will not be limited to the following:

(1) Name of the employee(s) killed or injured, job classification, and installation or activity.

(2) Identification of property (ownership) and/or equipment damaged and dollar estimate of damage.

(3) Date and time of accident.

(4) Location of accident to include project name.

(5) If contractor accident, the contract number and the name of contractor.

(6) Description, (who, what, when, where why, and how) in as much detail as possible.

(7) Immediate actions taken to control the hazard to prevent further injuries.

(8) Any other information considered pertinent.

c. Drivers of GSA vehicles will follow the 11 accident reporting steps outlined in the vehicle operators packet placed in the glove compartment of each vehicle, which includes the notification required above.

## 6. Accident Reports.

a. GOVERNMENT: The following accident reporting procedures apply to government employees sustaining an occupational illness or disease, on-the-job traumatic injuries, or property damage.

(1) EMPLOYEE. An employee who sustains a job-related injury or illness shall obtain from their supervisor and complete the employee portion of an OWCP Form CA-1 (for traumatic injury) or a CA-2 (for occupational diseases). After completion, return form to the immediate supervisor. A CA-1 must be submitted on all injuries regardless of how insignificant they seem.

(2) SUPERVISOR.

(a) The supervisor shall provide the appropriate CA form to the injured employee. After completion of the employee's section, the supervisor shall complete the supervisor's portion. There is also a receipt portion which the supervisor must complete and give to the injured employee.

(b) In addition, the supervisor of the injured employee shall complete the USACE Accident Investigation Report, ENG Form 3394, dated Sept 1989, through block 15. A copy of the ENG Form 3394 must then be attached to the original CA Form. The two forms shall be forwarded to the Safety and Occupational Health Office within five (5) working days from the date of the accident. The original ENG Form 3394 will be forwarded with its instructions, through management channels as indicated on the form for signature.

(c) The original CA-1 will be reviewed by the Safety and Occupational Health Office and handcarried to Human Resources within two working days of receipt.

(d) An ENG Form 3394 must be completed on any accident resulting in a lost workday (other than the day of injury), medical expenses incurred (when a CA-16 is utilized), property damage of \$2,000.00 or more.

(e) Items 15a and 15b are required entries which are often overlooked on the ENG Form 3394. These must be completed.

(f) The following signature chain is to be used on the ENG Form 3394. After each signature the name, title and date must be typed or printed legibly.

Item 15c, First line supervisor completing form.

Item 16, Second line supervisor.

Item 17, Staff Chief.

Item 18, Chief, SOHO.

Item 19, Commander.

(g) When an accident produces damage to a vehicle, an SF 91 (Standard Form 91) will be completed at the scene of the accident by the government vehicle operator involved in the accident if he/she is physically able. It is of the utmost importance that this form be fully completed. The completed SF 91 will be forwarded to the supervisor of the vehicle operator who will complete an ENG Form 3394 accident report and follow the procedures stated in paragraph 6a. above. The SF-91 will be forwarded to LM for all vehicle accidents/damage.

b. CONTRACTOR: The following reporting procedures apply to all contractor activities in the Buffalo District.

(1) In the event of an accident which results in a lost work day or \$2,000.00 or more in property damage, an ENG Form 3394 will be completed and submitted within five (5) workdays. Should an accident occur resulting in a fatality, \$100,000.00 or more in property damage, three or more persons being hospitalized, or any incident which would result in adverse publicity to the Corps of Engineers, immediate notification must be made to the Safety and Occupational Health Office. Reporting requirements of ENG Form 3394 within five (5) working days still apply.

(2) The following signature chain is to be used on the ENG Form 3394 on Contractor accidents. After each signature, the name, title and date must be typed or printed legibly.

Item 15c, Corps representative and Contractor representative.

Item 16, Area Engineer.

Item 17, Division Chief

Item 18, Chief, SOHO

Item 19, Commander.

(3) These forms must be requested through normal distribution channels and stocked in each office.

7. Board of Investigation.

a. Report of accidents involving a fatality, a permanent total disability, a permanent partial disability, hospitalization of three or more people to government, contractor, or military personnel or damage of \$100,000.00 or more will be investigated by a Board of Investigation appointed by the Division Commander. Members to serve on the Board of Investigation will be composed of technical and management specialists appointed by Division. A representative of the S&OH will be appointed as a technical advisor, but not as a member.

b. The Board of Investigation report will include photos, sketches, diagrams, and other exhibits essential to presenting a clear picture. The original and three copies of the report will be submitted as soon as practicable, but in no event later than 30 days after the day of the accident. Basic requisites of investigations for accidents are outlined in AR 385-40 dated 1 November 1994.

c. A SOH professional shall travel as soon as possible to all accidents that result in a fatality.

d. Guidance on Board of Investigation procedures are provided in Section 1 of this document.

8. Accident Reporting Integrity. It shall be the responsibility of operating officials to take reasonable steps to insure that all accidents are being properly reported. In any case, where there is doubt as to who is chargeable in an accident, the operating official shall submit an accident report to the S&OH Office, with memorandum outlining facts pertinent to the case, and the decision as to whom is chargeable will be rendered by the proper authority.

SECTION 1  
BOARD OF INVESTIGATION (BOI) PROCEDURES

1. A BOI will be appointed on orders by the Division Engineer in the event of:

a. Any accident involving a fatality, permanent partial or permanent total disability or hospitalization of 3 or more Government, contractor, or military personnel or damage of \$100,000.00 or more.

b. Any accident that the Chief of the Safety and Occupational Health Office, USACE, Chief of Division or Laboratory S&OH Office, or the FOA Commander determines a Board of Investigation is warranted.

2. The Division Commander appoints BOI members on orders with S&OH Office input. The board will consist of at least three voting members; in addition, non-voting technical advisors will be appointed to facilitate the investigation:

a. The president of the board may be either a field grade officer or DA civilian in the grade of GS-13 or higher.

b. The selection of board members will be based on their ability to analyze accident circumstances, causes, and develop corrective measures to prevent future similar accidents.

c. Board members will not be selected from the element incurring the accident, and members will be screened to ensure no member of the board has an interest in the investigation. However, members from the FOA element may be designated as advisors (non-voting) to facilitate the investigation of the accident.

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

(1) Board members are to be relieved of their regular duties, so they may give first 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 AR 385-40 in safeguarding limited use accident investigation reports.

g. Investigation, analysis, and preparation of board reports will involve only those members and advisors, including their clerical support, specified in the appointment orders. The Board report will not be staffed through or reviewed by other FOA (at any level) elements or individuals.

h. Appointment of the board shall be immediate and the board provided a list of objectives to accomplish. The Board of Investigation report shall be attached to ENG Form 3394 and forwarded through channels within 45 days to SOH office, USACE.

i. The Board of Investigation shall have authority to contact an outside expert to assist with the investigation where warranted. Board members shall be provided open-ended travel orders which shall include provisions for rental vehicles, excess baggage, purchase of materials and supplies and consulting fee authorization.

3. Instructions to government personnel who witness or immediately respond to an accident resulting in a fatality, \$100,000.00 or greater property damage, injuries sustained by five or more persons, or as directed by District Engineer.

a. Attend to the injured and notify emergency response personnel.

b. Perform necessary action required to prevent further injury/damage.

c. Do not alter accident scene.

d. Immediately notify element supervisor and S&OH Office.

e. Identify all principal witnesses.

f. Advise witnesses not to discuss the accident amongst themselves.

g. Await further instructions.

4. Action to be taken by S&OH Office personnel in case of accidents as described in paragraph 1 of Section 1 of this appendix.

a. Immediately notify Buffalo District S&OH Office Chief who in turn notifies District Commander, Division, USACE and U.S. Army Safety Center (USASC).

b. Complete a Report of Serious Accident (ROSA) and transmit to Division and USACE. See sample in Section 3.

c. Provide any necessary input regarding selection of BOI members and advisors.

d. Notify Public Affairs Office (PAO). All media inquiries shall be directed to PAO.

e. Notify government employees at accident site of the arrival date/time of the members of the BOI.

f. Ensure that point of contact (POC) has been identified by name to assist BOI at the accident scene.

g. Serve as technical advisor on BOI.

#### 5. BOI Equipment.

a. BOI members will take the appropriate equipment to conduct the investigation. The BOI accident investigation kit will be provided by the S&OH Office and should contain the following as a minimum:

- (1) Camera, film, flash unit and appropriate batteries for both.
- (2) Cassette recorder, blank tapes, and batteries.
- (3) Directional compass.
- (4) 100 feet tape measure.
- (5) 12 inch ruler.
- (6) Marking pencils, chalk or crayons (suitable for marking pavement).
- (7) Tags (adhesive and tie-on type).
- (8) Baggies.
- (9) Engineering tape (to mark off area).
- (10) Writing supplies (pens, pencils, and paper).
- (11) Flashlight (spare batteries and bulb).
- (12) Appropriate personal protective equipment (PPE) if warranted.

6. Instructions for a Board of Investigation.

a. Essential steps to be taken and reported on in the investigation will include, but not be limited to, the following:

(1) The board will visit the scene of the accident as soon as possible after the accident occurs. A reconstruction of the circumstances is highly desirable if the scene cannot be kept intact from the time of the accident.

(2) Clearly illustrate on drawing or chart all pertinent information of the vicinity.

(3) Take photographs, if practicable. Accompany each with an accurate description.

(4) Statements from witnesses and supervisors should include:

(a) Where the witness was at the time of the accident.

(b) What action, operation, etc., was taking place immediately prior to the time of the accident.

(c) How the accident happened.

(d) Written statements should be signed.

(5) As a minimum, establish the following facts about the accident:

(a) How long employee(s) involved, had been employed on the job.

(b) Was employee(s) qualified to perform his/her assigned duties?

(c) Did employee(s) have any known physical impairments?

(d) Was employee(s) familiar with safety requirements covering his/her work? If so, were safety requirements violated?

(e) What unsafe act or condition caused the accident?

(f) What safety instructions had been given by the supervisor?

(g) Had hazard or safety violation been called to the attention of the supervisor? If so, by whom and when?

(h) Was the equipment involved in safe operating condition? If not, by and to whom had this condition been reported and what action was taken?

(i) How could the accident have been prevented? (Include systematic weaknesses that contributed to mishap).

(j) Describe direct and indirect causes.

(k) Had hazard analysis been completed and accepted for this particular phase of construction?

(6) If conflicting evidence is obtained, secure enough additional evidence from reliable sources to resolve the conflict.

7. Instruction for preparing BOI report.

a. Summarize testimony of witness in the discussion and do not include verbatim statements.

b. The board will resolve conflicts in testimony based on the best available evidence.

c. Identify witnesses only by job title or assignment, such as Area Engineer, carpenter, etc.

d. Conclusions and recommendations each shall be printed on separate pages to facilitate their removal in the event the Board Report is released.

8. Reports of the Board are to include the following information that is applicable to the particular type of accident investigated:

a. General

(1) Board of Investigation authorization and board members.

(2) Classification of accident; name, age, and occupation of deceased; equipment involved; date of accident; name of employer; name and location of project.

b. Description. Give scenario of 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 operation 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 to achieve them were not known.

(3) Standards or procedures were known but were not enclosed, 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. Signatures. All members of the Board.

g. Abstract Report. An abstract of the accident in the following format, which will only include factual information:

(1) Type of location (construction site-trench, highway-four lane, maintenance yard-flammable storage area, etc.).

(2) Date and Time of the accident.

(3) Agent directly causing the accident (trench, passenger vehicle, flammable liquid, etc.).

(4) Personnel and equipment categories (USACE, contractor, etc.).

(5) Description of the Accident.

- (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)).

h. 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.

9. The Board chairperson will send all reports of Board of Investigation to the Chief, S&OH Office. Four copies are required.

10. Recommendations and Findings. The Chief, S&OH Office is designated to review and make recommendations on the findings and recommendations of the Board. He will ensure that each report meets the following criteria:

- a. Was the true cause of the accident identified?
- b. Were the necessary significant engineering factors and system errors brought to light?
- c. Was realistic corrective action recommended?
- d. Has recommended corrective action been taken by the responsible personnel?
- e. If the major reason/cause of the accident was human error the following will be identified:
  - (1) Required safety or health standards were not clear or practical, or did not exist.
  - (2) Standards exist but were not known, or ways to achieve them were not known.
  - (3) Standards were known but not enforced.
  - (4) Standards were known but not followed.

11. Disposition. The Chief, S&OH Office will submit the report of the board in it's final form to the District Commander for review, comments, and approval before forwarding with final ENG Form 3394 through channels to the Chief of Engineers. The original and two copies of the report will be forwarded to reach HQ USACE (CESO) WASH DC 20314-1000 not later than 45 calendar days following the accident. The report is to reach the Division Commander within 30 calendar days of the accident in order to reach USACE within the 45 day limit. NTSB (National Transportation Safety Board) or CG (Commanding General) reports will be forwarded no later than 10 calendar days following release by the investigating agency. The cover letter, signed by the Commander, and endorsements, signed by the intermediate Commander, should include:

a. Concurrence or nonconcurrence in each recommendation.

b. Actions taken or to be taken to implement each recommendation concurred with by the FOA and if endorsed by the Division Commander. The actions taken to implement the recommendations by other districts within the division.

c. The dates corrective action will be effective or completely implemented.

d. Additional alternative preventative measures, as appropriate.