

**Virginia Defense Force
Regulation 385–10-2**

Safety
Virginia Defense Force
Safety Program
Accident Investigation and Reporting

**Headquarters
Virginia Defense Force
5001 Waller Road
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1 September 2014**

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Richmond, VA
1 September 2014**

Safety

VDF Safety Program

Summary. This document is an adaptation of the Army Regulation 385-10, Army Safety Program, for use by the units of the Virginia Defense Force (VDF). This regulation provides guidance to commanders and other personnel in regards to the safety program in the Virginia Defense Force.

Applicability. This regulation applies to units of the VDF. During mobilization for state active duty, procedures in this publication can be modified to support policy changes as necessary.

Suggested Improvements. Users are invited to send comments and suggested improvements directly to Headquarters, Virginia Defense Force, George Washington Division, Division Safety Office, 5001 Waller Road, Richmond, Virginia 23230-2915.

Distribution. Distribution is intended for all VDF units down to, and including, company-level.

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Major General, Virginia Defense Force

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Chapter 1

Accident Investigation and Reporting

1-1. Introduction

This chapter provides policies and procedures for initial notification, investigating, reporting, and submitting reports of VDF accidents and incidents.

1-2. Policy

VDF policy is to investigate and report VDF accidents to prevent like occurrences. All VDF accidents will be investigated, reported, and analyzed in accordance with the requirements of this regulation and guidance contained in DA Pamphlet 385-10. Copies of any accident reported produced by police or other official investigators (e.g., FAA, NTSB, etc.) will be included in reports to higher levels.

1-3. VDF Accident

A VDF accident is defined as an unplanned event, or series of events, which results in one or more of the following:

- a. Injury to on-duty VDF personnel (this includes enroute to and from duty location and after hour periods while on TDY orders and on location as assigned).
- b. Damage to VDF property.
- c. Damage to public or private property, and/or injury to non-VDF personnel caused by VDF operations (the VDF had a causal or contributing role in the accident).

Note: VDF members involved in incidents when not on orders and when not performing VDF activities (i.e., in their civilian occupations or environment) are not covered by this regulation.

1-4. Accident and incident classes

Accident classes are used to determine the appropriate investigative and reporting procedures. Accident classes are as follows:

- a. Class A Accident. A VDF accident in which the resulting total cost of property damage is \$2 million or more; a VDF aircraft is destroyed, missing, or abandoned; or an injury or occupational illness results in a fatality or permanent total disability.
- b. Class B Accident. A VDF accident in which the resulting total cost of property damage is \$500,000 or more but less than \$2 million, an injury and/or occupational illness results in permanent partial disability, or when 3 or more personnel are hospitalized as in-patients as the result of a single occurrence.
- c. Class C Accident. A VDF accident in which the resulting total cost of property damage is \$50,000 or more but less than \$500,000, a nonfatal injury or occupational illness that causes 1 or more days away from work or training beyond the day or shift on which it occurred or disability at any time (that does not meet the definition of Class A or Class B and is a day(s) away from work case).
- d. Class D Accident. A VDF accident in which the resulting total cost of property damage is \$2,000 or more but less than \$50,000, a nonfatal injury or illness resulting in restricted work, transfer to another job, medical treatment greater than first aid, needle stick or sharps injuries that are contaminated from another person's blood or

- other potentially infectious material, or removal under medical surveillance requirements from an OSHA standard.
- e. Class E Accident. A VDF incident in which the resulting total cost of property damage is less than \$2,000.

1-5. What to report

Commanders/supervisors will investigate and report to the unit/local safety office any unplanned events that result in one or more of the following:

- a. Injuries and occupational illnesses.
 - (1) Injury or occupational illness (fatal or nonfatal) to on-duty VDF personnel.
 - (2) Injury or illness to non-VDF personnel as a result of VDF operations.
 - (3) VDF member training related deaths not covered in paragraphs 1-5.a(1) or 1-5.a(2) above. (See glossary for definition of a training related death.)
 - (4) Persons who are missing or presumed dead as the result of a potential accident will be reported as accident fatalities.
- b. Damage to VDF property. This includes Government furnished material (GFM) or Government furnished property (GFP).
- c. Damage to public or private property. Damage to public or private property caused by VDF operations (the VDF had a causal or contributing role in the accident). Note that commanders will investigate unplanned events and make decisions as to whether the event is an accident or some other category of loss.

1-6. Types of accidents

When two or more types of VDF vehicles are involved in an accident, the type of equipment operated by the individual deemed most responsible will determine the accident type.

1-7. Nonreportable events

The following events are not reportable through safety channels:

- a. Malfunctions or failure of parts that are normally subject to fare wear and tear and have a fixed useful life less than the complete unit of equipment are not considered accidents if the malfunction or failure is the only damage and the sole action is to replace or repair the component part. When a malfunction or failure of a component part results in damage to another component, this paragraph does not apply.
- b. Damage to VDF equipment or property is planned, intended, or expected during authorized testing or intentional destruction is not considered an accident. "Planned or intended" means that the damage was specifically required to accomplish the objectives of a formally authorized test or was the desired outcome of an authorized destruction or disposal of property. Any unplanned and unintended damage incurred during these operations will be reported as an accident.
- c. Intentional, controlled jettison or release, during flight or any aircraft component not essential to flight. When there is no injury, no reportable damage to the aircraft or other property when the reason to jettison is not malfunction.
- d. Property damage as a result of vandalism, riots, civil disorders, or felonious acts (e.g. arson). Damage to VDF aircraft, vehicles, or any other property which occurs after an aircraft or vehicle has been stolen is not reportable as an accident. Damage to VDF aircraft, vehicles, or other property which occurs when an individual misappropriates

- and aircraft or vehicle not authorized to be flown or driven by the individual will not be reported as an accident.
- e. Deliberate damage to aircraft or equipment or injury to aircraft or equipment occupants. Such damage and injury will be reported to the state or local law enforcement agency, unless collocated on a military installation. If collocated, report to the installation law enforcement (e.g. the MPs).
 - f. VDF equipment leased, on bailment, or loaned to other Government agencies, when the lessee has assumed risk of damage or loss.
 - g. Injuries associated with non-occupational diseases, when the disease, not the injury, is the proximate cause of the lost time, such as diabetes and its resultant complications like loss of vision. Complications on the injury (such as the infection of a cut aggravated by a work-related activity) that results in lost time are reportable.
 - h. Suicide or attempted suicide, homicide, or intentionally self-inflicted injuries.
 - i. Injuries resulting from altercation, attack, or assault, unless occurred in the performance of official duties.
 - j. Injuries sustained off-duty (before or after travel to and from duty locations on days performing VDF duties), unless specifically aggravated by activities occurring on-duty.
 - k. Illnesses caused by specific organisms and toxins (such as food-borne disease), unless the disease is directly related to or the result of the worker's environment.
 - l. Minimum stress and strain (simple, natural, and nonviolent body positions or actions, as in dressing, sleeping, coughing, or sneezing). These are injuries unrelated to accident producing agents or environments normally associated with active participation in daily work or recreation.
 - m. Hospitalization for treatment where the patient is retained beyond the day of admission solely for administrative reasons. Hospitalization for observation or administrative reasons not related to the immediate injury or occupational illness.
 - n. Injuries or fatalities to persons in the act of escaping from or eluding military or civilian custody or arrest.
 - o. Death due to natural causes unrelated to the work environment.
 - p. Adverse reactions resulting directly from the use of drugs under the direction or competent medical authority.
 - q. Death or injury resulting directly from the use of alcohol, illegal drugs, or other substances.

1-8. Initial notification and reporting of VDF incidents

Persons involved in, or aware of, a VDF accident will report it immediately to the commander or supervisor directly responsible for the operation, materiel, or persons involved.

- a. Initial Notification. The commander or supervisor who first becomes aware of any Class A or Class B VDF accident or Class C VDF Aviation (flight, flight-related, and aircraft ground) accident will, through their chain of command, immediately notify:
 - 1) The immediate commander or supervisor of all personnel involved.
 - 2) Commander, VDF. The primary method for immediate notification is through either e-mail or telephone. Checklists for compiling the necessary ground or aviation accident information are provided. Secondary method of notification is via the VDF office at Waller Depot.

- a) At a minimum, notification will include the information on DA Form 7306 (Worksheet for Telephonic Notification of Ground Accident).
 - b) At a minimum, notification will include the information on DA Form 7305 (Worksheet for Telephonic Notification of Aviation Accident / Incident).
 - c) For all Class A and Class B on-duty accidents and Class C Aviation accidents, immediate notification of accidents will be followed by an installation level accident investigation. NOTE: Investigations initiated by military (e.g., military investigations), federal (e.g., FAA or NTSB) or state / local agencies (e.g., police) that have legal jurisdiction will have precedence.
- 3) Virginia Department of Labor and Industry (DoLI). Within 8 hours after the death of a VDF member from a work-related incident or the in-patient hospitalization of 3 or more VDF members as a result of a work-related incident, an activity representative must orally report the fatality / multiple hospitalization by telephone or in person to the area office of the Virginia Department of Labor and Industry (i.e., OSHA for Virginia) that is closest to the site of the incident. NOTE: If on a federal military installation, notification would be made to the nearest federal OSHA office. (NOTE: DoLI has not authority on a federal installation.)
- b. Reporting incidents. All accident reports will be submitted using the appropriate forms in accordance with VDF 385-40 and the VDF preparation guides.

1-9. Accountability of VDF Accidents

- a. The purpose of accountability in this regulation is to address the most likely organization to affect corrective actions. Accidents normally will be charged in the following order of precedence:
 - 1) The unit or element having operational control of the equipment or facility.
 - 2) The unit having operational control of the most responsible person.
 - 3) The unit or organization to which the injured person(s) is assigned.
- b. Exceptions to the above include, but are not limited to, the following:
 - 1) Design-induced failure or malfunction. A VDF accident caused solely by design-induced failure or malfunction will be recorded as a "materiel" accident and will be charged to a special Hq VDF accident account. The unit experiencing the failure or malfunction is required to submit an equipment improvement report (EIR) or SF 368 (Product Quality Deficiency Report). A copy of the EIR / SF 368 will be submitted with each accident report that identifies a materiel defect as a primary/contributing or secondary/noncontributing cause factor.
 - 2) Environmental factors. Accidents caused solely by environmental factors (e.g., high winds, hail, and lightning) will be reported and recorded as an "environmental" accident. They will be charged to a special Hq VDF account unless the accident could have been avoided by command action. If the accident investigation board determines an accident could have been avoided by the command taking preventive action, the accident will be charged to the activity having operational control of the equipment or activity to which the persons involved in the accident are assigned.

1-10. Categories of accident investigation reports

The VDF has two categories of safety accident investigation reports -- limited use reports and general use reports.

- a. Limited Use Safety Accident Investigation Reports. These are close hold, internal communications of VDF whose "sole" purpose is prevention of subsequent VDF accidents. They are required for all flight / flight related accidents. They are authorized for use in certain accidents as explained in paragraph (3) below.
 - (1) Since much of this information is available only from persons directly or indirectly involved in the accident, a means must be provided to establish frank and open exchange of such information without fear of recrimination or other adverse action.
 - (2) All persons who provide information to accident investigators in this category under a promise of confidentiality maybe assured that the VDF will use its best efforts to honor the promise if the record containing the information becomes the subject of a request under the Freedom of Information Act (FOIA) and will not voluntarily disclose this information.
 - (3) In addition to flight accidents, Limited Use Safety Accident Investigation Reports may be used for accidents other military-unique items/equipment/operations/ exercises when the determination of causal factors is vital to defense.
 - (4) The following restrictions are imposed on the handling of Limited Use Safety Accident Investigation Reports:
 - (a) Reports shall not be used before any evaluation board, as evidence or to obtain evidence for disciplinary action, in determining the misconduct or line of duty status of any personnel, or to determine liability in administrative claims for or against the Government. In limited use investigations, witnesses may be given the option of making their statement under a promise of confidentiality if they are unwilling to make a complete statement without such a promise and the investigation board believes it is necessary to obtain a statement from a witness.
 - (b) To the extent permissible under the law, these reports shall not be released in their entirety to the public or any Government agency outside of the Commonwealth of Virginia or the Virginia National Guard / Department of Military Affairs. Subject to court order to the contrary, reports may not be used in any legal proceeding -- civil or criminal. The Virginia Department of Military Affairs will use its best efforts to seek available appellate review of a court order to release a report. Exceptions to the foregoing are stated in paragraph (c) below.
 - (c) Portions of the safety investigation reports are privileged. The privileged portions include findings, recommendations, and analysis of the accident board and confidential witness interviews. Excerpts from safety investigation reports composed of purely factual material (such as date, time, location, type system, weather, maps, and transcripts or air traffic communications) may be released to other investigators and to the public subject to traditional FOIA exemptions. Only the initial denial authority, Commander VDF, may authorize release of information protected under FOIA.

- (d) The notation "Limited Use Safety Accident Investigation Report" shall be used identifying these reports.
- b. General Use Safety Accident Investigation Reports. These are reports prepared to record data concerning all recordable VDF accidents not covered by Limited Use Safety Accident Investigation Reports. These reports are intended for accident prevention purposes and will not be used for administrative or disciplinary actions within the VDF. Portions of these reports that contain privileged material (such as investigative findings, analyses, and recommendations) are generally not releasable to the public, to any governmental agency outside of the Commonwealth of Virginia or the Virginia National Guard / Department of Military Affairs except to requester who has a need to know for the purpose of accident prevention. The information will be treated as exempt from mandatory disclosure in response to a request under the FOIA.
- c. Safety and legal accident investigation reporting. Commanders may initiate a legal accident investigation (formerly known as a collateral investigation) to obtain and preserve all available evidence for use in subsequent administrative or legal actions. The safety accident investigation has priority over a legal accident investigation.
- (1) Legal accident investigations are used to obtain and preserve all available evidence for using in litigation, claims, disciplinary action, or adverse administrative actions. They are essential for protecting the privileges afforded to accident investigation reports, as they ensure there is an alternative source of evidence for use in legal and administrative proceedings. Although nonprivileged information acquired by a safety accident investigator shall be made available to the collateral investigation, the latter is conducted independently and apart from other types of accident investigations.
- (2) Safety personnel and personnel responsible for conducting accident investigations will not conduct, review, evaluate, assist with, or maintain on file the collateral investigation. However, safety personnel can use and shall be given access to any information in a collateral legal/administrative investigation.
- (3) This type of investigation will be prepared:
- (a) On all Class A accidents.
- (b) As directed by the VDF judge advocate or legal counsel in response to a claim.
- (c) On those accidents where there is a potential claim or litigation for or against the Government or a Government contractor.
- (d) On accidents with a high degree of public interest or anticipated disciplinary or adverse administrative action.
- (4) A legal accident investigation may be conducted on any other accident at the direction of the commander whose personnel, equipment, or operations were involved in the accident.

1-11. Accident Investigation Board appointing authority

- a. The commander having jurisdiction of the facility or unit responsible for the operations, personnel, or material involved in an accident, or the VDF CG, is responsible for appointing accident investigation boards as required by this regulation.

- (1) Accident boards for accidents on Federal property or jurisdiction (i.e., the National Transportation Safety Board) shall take precedence over accident investigation boards appointed by the VDF. In these instances, the VDF accident investigation board will be for the purpose of reviewing the other accident investigation report(s) and evaluating if any changes in procedures or training will be needed to prevent further accidents.
 - (2) VDF accident investigation boards will have precedence on VDF-controlled property or facilities.
- b. The appointing authority will:
- (1) Appoint on orders, for Class A and Class B accidents, the president and other members of the board from units or organizations other than the accountable organization. Individuals from the accountable organization may be designated as advisers (nonvoting) to enhance the investigation and reporting of the accident.
 - (2) Request support from higher headquarters when investigation requirements are beyond the unit's capability.
 - (3) Give priority to accident investigation and reporting duties to ensure prompt completion of accident reports. Appointing authorities will ensure that adequate clerical and administrative support is available to assist in the rapid completion of accident reports.
 - (4) Ensure that no member of the board has a personal interest in the outcome of the accident investigation board.

1-12. Types of safety accident investigation boards

Two types of board may be convened, either CAI or IAI. Upon notification of a Class A or Class B accident, the VDF CG will determine whether a CAI or IAI will be conducted.

- a. Centralized Accident Investigation Board.
- (1) The following information will be provided to the board appointing authority:
 - (a) Name, rank, and social security number of the board members.
 - (b) The special requirements and desired qualifications for local board members (i.e., instructor pilot, flight surgeon, vehicle technician, etc.)
 - (2) The board appointing authority will:
 - (a) Appoint a member of the local safety office to serve as POC for the board.
 - (b) Assure that preliminary actions required by this regulation are initiated before the arrival of the board members. At a minimum, these actions include, but are not limited to, the following.
 1. Administrative and logistical support for the investigation board.
 2. Funding all support costs other than travel and per diem costs of personnel requested to provide assistance.
 3. Securing the accident scene (if on VDF controlled property) and taking action as required by this regulation.
 4. Obtaining personnel and training records for all personnel directly involved in the accident.
 5. Identifying and notifying local board members.
 6. Publishing orders appointing an investigation board.
 7. Obtaining the following witness information: Name, rank, unit, and telephone number.

8. Obtain other accident investigation reports, if completed.
 9. Obtaining a map that includes the accident site.
 10. Obtaining directives that pertain to the operation that resulted in the accident.
 11. Obtaining weather statement from the Weather Service.
- b. Installation-Level Accident Investigation Board.
- (1) The appointing authority will appoint on orders a board to investigate all on-duty Class A, Class B accidents and Class C aviation accidents, except those investigated by Federal or state accident investigation boards.

1-13. Accident Investigation Boards

- a. The following accidents will be investigated in accordance with guidance provided in DA Pamphlet 385-40 by a board consisting of a minimum of three members:
- (1) All on-duty Class A and Class B accidents.
 - (2) Any accident, regardless of class, that an appointing authority or commander, believes may involve a potential hazard serious enough to warrant investigation by a multimember board.
- b. Class C aircraft accidents (flight, flight-related, or aircraft ground) will be investigated by a board of at least one member.
- c. While the following accidents do not require formal board appointment orders, they will be investigated by one or more officers, warrant officers, safety officers / noncommissioned officers (NCOs), or supervisor:
- (1) Class C and Class D ground accidents.
 - (2) All aircraft Class D, Class E, and Class F accidents / incidents.

1-14. Board composition

- a. The following personnel may serve on VDF safety accident investigation boards:
- (1) VDF officers or warrant officers (VDF Aviators for aircraft accidents).
 - (2) Full-time technicians who hold current state recognized officer or warrant officer status.
 - (3) Senior NCOs when they are considered SMEs for the equipment or operation involved.
 - (4) Any other personnel approved by the VDF CG.
- b. The safety accident investigation board appointing authority will be as specified in paragraph 3-11, above.
- (1) Voting members will be screened to ensure they do not have an interest in the accident that may bias the outcome of the investigation.
 - (2) Personnel appointed as advisers are nonvoting participants. Local advisers function to enhance and expedite accident investigation and reporting. Local advisers will normally consist of the safety office POC and a POC from the organization incurring the accident. In cases where equipment involved in unique to one organization or activity as a location, technical personnel from the organization incurring the accident may be used in an advisory status at the discretion of the board president.

- c. For on-duty Class A and Class B accidents, individuals appointed as board members will not be from the unit that incurred the accident (i.e., same battalion, company or detachment).
 - (1) The president of the board will be a field grade officer (CW4/CW5 is considered field grade).
 - (2) One member will be appointed to act as recorder.
 - (3) When an accident involves any of the following, a medical officer or flight surgeon is required to be a board member:
 - (a) Personal injuries.
 - (b) Issues (including injuries) associated with PPE, egress from an aircraft, medical evacuation, rescue, or survival.
- d. Class A and Class B aviation accidents specific board requirements for manned aircraft:
 - (1) One member will be equivalent to a master or senior Army aviator.
 - (2) One member (who could be the master or senior aviator) will be qualified in type, design, and series of aircraft involved.
- e. For watercraft accidents, at least one board member will be familiar with boat operations, navigation, and boating safety.
- f. In the case of Class C aircraft accidents, when more than one individual is on the board, the president will be a VDF officer or a senior warrant officer (CW3 and above). In addition, if available, a flight surgeon (or FAA Medical Examiner) is required to be a board member when an accident involves:
 - (1) Personal injuries.
 - (2) Issues (including injuries) associated with PPE, aircraft egress, medical evacuation, rescue, or survival.

Note. For one-member Class C boards, the board president must be senior in grade to the aircraft crewmembers.

- g. Guidance for specific duties and responsibilities of board members are outlined in DA Pamphlet 385-40.

1-15. Review of accident investigation reports

All accident investigation reports will be reviewed by each reviewing agency.

- a. Initial review. The initial reviewing official will normally be the commander of the unit involved or the commander of the supervisor directly responsible for the operation, material, or persons involved in the accident. This official will review the accident report, provide written concurrence or nonoccurrence with the findings / recommendations, ensure that factual data are circulated within the unit, ensure recommendations that can be put into effect at the unit level are implemented, and forward the original through the designated chain of command to the VDF reviewing authority.
- b. Installation-level safety manager review. The installation-level safety manager or their equivalent when an installation safety office does not exist, will ensure that the entire accident report is prepared per instructions, and accident data are analyzed for prevention purposes.
- c. VDF Headquarters approving authority. VDF Headquarters commanders or their designated representatives will provide written concurrence or nonoccurrence for

each finding and recommendation made by the accident investigation board (Class A, Class B, and Class C aviation accidents). The VDF Headquarters safety office will ensure that the accident report is complete and take additional actions when required.

1-16. Processing accident reports.

- a. Original accident reports and supporting documents will be forwarded to the VDF Division Safety Office. Copies will be maintained by the originating safety office and the other safety offices within the chain of command.
- b. If military installations upon which VDF units performing training or exercises have requirements for copies of accident reports (e.g., Fort Pickett Range Control), units shall provide them with a copy of the report and/or the forms that they require to be used.

1-17. Changes to accident reports and request for extension of submission time limits

- a. A change to an accident report will be submitted when:
 - (1) An event occurs that changes the classification of an accident (e.g., from Class C to Class B or from Class B to Class A).
 - (2) Additional information is discovered that was not known when the initial report was submitted. Changes to reports will not be submitted for changes in number of days lost or property damage estimates, except as indicated in 1-17.a(1) above.
- b. When requesting a downgrade change (i.e., Class A to Class B) supporting documentation such as an actual cost of damages / estimated cost of damages is required.
- c. Requests for extension beyond the accident report due date will be made telephonically or via e-mail through VDF HHC, by the VDF Division Safety Office.

1-18. Headquarters, VDF accident report evaluation, review, and action

- a. The VDF Division Safety Office will review all accident reports for regulatory and technical compliance.
- b. The VDF Division Safety Office will:
 - (1) Establish and maintain a formal system to track actions on recommendations from accident reports.
 - (2) Provide written notification to the command, organizations, or agency responsible for implementing or initiating corrective action on VDF Headquarters-level accident recommendations.
- b. Upon receipt of written notification of recommendations, the responsible VDF organization will provide written acknowledgement within 30 calendar days and an initial response to the VDF Division Safety Office within 90 calendar days as to corrective action initiated or planned. Interim and follow-up reports are required every 90 days after initial response until the action is closed.
- c. All VDF Headquarters-level recommendations not accepted or implemented by the responsible command, organization, agency, or activity will be returned to the VDF Division Safety Office, with support rationale within 90 days after the date on the letter of transmittal.

1-19. Maintaining accident reports

All accident report records required by this regulation and maintained by the VDF Division Safety Office will be retained at least 10 years. For other organizations, maintain records of accident investigations to include the current fiscal year and the previous 5 fiscal years.

1-20. Scene preservation

In many instances, scene preservation at VDF accident locations will be under the jurisdiction of other agencies. VDF personnel will cooperate in scene preservation as directed by these agencies. In cases where the accident is located upon VDF property, VDF personnel should:

- a. Restrict access to the site, except for emergency response personnel.
- b. If available, photograph the entire accident location to document locations of items.
- c. Do not remove items from the accident site, unless it would be destroyed by time or the elements.

1-21. Accident scene investigation

Guidance for accident scene investigations are contained in DA Pamphlet 385-40.

1-22. Accident information

- a. Safety accident investigation reports are official documents. They will be used solely for accident prevention purposes. These reports and their attachments, or copies and extracts, will not be enclosed in any other report or document unless the sole purpose of the other report or document is accident prevention. Common-source documents, photographs, and those documents (other than witness statements) containing purely factual information that is available to other VDF authorized investigations are an exception to this rule.
- b. Safety accident reports and the privileged documents contained therein may not be used as evidence or to obtain evidence in any disciplinary, administrative, or legal action such as the following:
 - (1) Determining or defending the determination of misconduct or line-of-duty status of VDF personnel.
 - (2) Flight evaluation boards.
 - (3) Determining liability in claims for or against the Government.
 - (4) Determining any pecuniary liability
 - (5) Any other adverse personnel actions.

1-23. Release of information from Safety Accident Investigation Reports

- a. All requests under the provisions of the FOIA for information from, or copies of, Class A, Class B, or Class C safety accident reports will be referred through command channels to the VDF Division Safety Office. The VDF Division Safety Office is the repository for Class A, Class B, Class C, Class D, Class E safety accident reports, and Class E and Class F incident reports. The VDF Division Safety Officer has been delegated authority to act as the initial denial authority on requests for information from VDF safety accident reports.
- b. Local safety offices are authorized to release Class D and Class E general use safety accident reports in the entirety in response to FOIA requests after consulting with the JAG or legal advisor to ensure that complete disclosure would not be in violation of

- the FOIA. Local offices wanting to withhold portions of a Class D or Class E general use safety accident report must refer the action to the VDF Division Safety Office.
- c. Requests received directly from members of the Federal Congress or Commonwealth of Virginia General Assembly will be referred to the Commonwealth of Virginia Department of Military Affairs, Legislative Liaison. That office will then relay the request to the VDF Division Safety Office or to the appropriate local safety office.
 - d. Requests from Federal or Commonwealth of Virginia agencies for access to reports are governed by other provisions of this regulation and, in many instances, by interagency agreements or specific regulations (e.g., AR 95-30 governs the release of information to the Federal Aviation Administration). Command and facility safety offices that receive such requests will contact their local JAG or legal advisor or the VDF Division JAG for guidance.
 - e. Subpoenas for the production of accident reports or for the testimony of accident investigators will be referred to the recipient's legal advisor or the Division JAG for action, as needed (reference AR 27-40 for guidance).
 - f. Requests for access for accident reports from other staff sections or organizations / commands are governed by the restrictions in this paragraph. The procedures below will be followed in response to these requests.
 - (1) The requester must state the reason the information is needed and the purpose for which it will be used. If the requester's is not solely for accident prevention and a collateral investigation was conducted, the requester will state the reason the collateral investigation will not satisfy the requester's need.
 - (2) If the requester's sole purpose for requesting the report is accident prevention, the entire report may be released with a warning that further disclosure by the requester is not authorized.
 - (3) If the requester intends to use the information for any purpose other than accident prevention, only common source data, the names of witnesses, photographs, diagrams, and the results of scientific or technical tests will be disclosed. The following information will not be released:
 - (a) The report's findings, recommendations, and the investigator's analysis.
 - (b) The content of witness statements, both confidential and nonconfidential, if they were obtained on a promise they would not be used for purposes other than accident investigation.
 - (c) Any medical records, unless they meet requirements referenced in AR 40-66.

1-24. Costing

Computations for accident costs will be accomplished in accordance with guidance contained in DA Pamphlet 385-40.

1-25. Injury and accident rates

These rates include recordable injuries and/or accidents with property damage meeting the reporting criteria. To convert the rates obtained in the following formulas (except aviation) to an annual rate for comparison of any time period, multiply the rate obtained by 12 and then divide by the number of months covered.

- a. Injury rates. Injury rates for the VDF will be computed as for Army Reserve and National Guard injury rates. These injury rates are the total number of recordable

injuries for each 1,000 personnel during a specific period. Injury rates are computed using the following procedure:

- (1) Compute prorated strengths by subtracting the active VDF personnel from the total VDF strength (i.e., active and auxiliary members), multiplying the result by 0.1068, and then adding this last result to the active population.
 - (2) Multiply the number of injuries over a specified time period by 1,000 and divide by the prorated strength as computed in the paragraph above.
- b. Accident rates. Accident rates for the VDF will be computed as for Army Reserve and National Guard accident rates. Number of accidents times 1,000, divided by the prorated active personnel strength.
 - c. VDF aircraft accident rate. The rates for VDF rotary and fixed wing aircraft will be computed on the number of aircraft accidents per 100,000 aircraft flight hours. These rates will include flight accidents only.

Appendix A References

Section 1. Publications

AR 15-6, Procedures for Investigating Officers and Boards of Officers

AR 95-1, Flight Regulations

AR 95-30, Participation in a Military or Civil Aircraft Accident Safety Investigation.

AR 190-5, Motor Vehicle Traffic Supervision

Code of Federal Regulations (CFR) (<http://www.gogpoaccess.gov/cfr/index.html>)

29 CFR 1910.38, Emergency Action Plans

29 CFR 1910.39, Fire Prevention Plans

29 CFR 1910.147, Control of Hazardous Energy (Lockout/Tag out)

29 CFR 1910.165, Employee Alarm Systems

29 CFR 1910, Subpart E, Means of Egress.

29 CFR 1910, Subpart H, Hazardous Materials

29 CFR 1910, Subpart I, Personal Protective Equipment

29 CFR 1910, Subpart L, Fire Protection

40 CFR, Protection of the Environment

42 CFR, Public Health

49 CFR, Transportation

DA Pam 385-1, Small Unit Safety Officer / NCO Guide

DA Pam 385-10, Army Safety Program

DA Pam 385-16, System Safety Management Guide

DA Pam 385-30, Mishap Risk Management

DA Pam 385-40, Army Accident Investigations and Reporting

DA Pam, 385-63, Range Safety

DA Pam 385-90, Army Aviation Accident Prevention Program

FM 3-0, Operations (<http://www.apd.army.mil>)

FM 4-01.011, Unit Movement Operations

FM 5-0, The Operations Process

FM 5-19, Composite Risk Management (CRM)

FM 21-305, Manual for the Wheeled Vehicle Driver (<http://atiam.train.army.mil>)

FM 55-30, Army Motor Transport Units and Operations

HSPG (Highway Safety Program Guidelines) Number 1, 4, 8, and 20.
(<http://www.nhtsa.gov/nhtsa/whatsup/tea21/tea21programs/>)

IATA (International Air Transport Association), Dangerous Goods Regulations, Restricted Articles Tariff 6-D. (<http://www.iata.org/index>)

ICAO (International Civil Aviation Organization) Web Site (<http://www.icao.int>)

Manual on Uniform Traffic Control Devices for Streets and Highways
(<http://mutcd.fhwa.dot.gov>)

MIL STD 822D, System Safety (<http://assist.daps.dla.mil/quicksearch>)

MIL-STD-1180B(1), Safety Standards for Military Ground Vehicles
(<http://assist.daps.dla.mil/quicksearch>)

NFPA (National Fire Prevention Association) 101, Life Safety Code.

NIMS (National Incident Management System) (<http://www.fema.gov>)

NRF (National Response Framework) (<http://www.fema.gov>)

Section 2.

Forms

OSHA Form 300, Log of Work-Related Injuries and Illnesses (<http://www.osha.gov>)

OSHA Form 300A, Summary of Work-Related Injuries and Illnesses (<http://www.osha.gov>)

VDF Accident Investigation Report Form

Glossary

Section 1

Abbreviations

ADSC – Additional Duty Safety Course

ADSO – Additional Duty Safety Officer (or NCO)

AR – Army Regulation

ARNG – Army National Guard

ASO – Aviation Safety Officer

ATV – All-terrain vehicle

BBP – Bloodborne pathogens

BBPECP – Bloodborne Pathogen Exposure Control Program

BBPP – Bloodborne Pathogen Program

CAI – Centralized accident investigation

CFR – Code of Federal Regulations

CG – Commanding General

CONOPS – Continuity of operations

CORA – Certificate of Risk Acceptance

COTS – Commercial off-the-shelf

CPSC – Consumer Product Safety Commission

CPX – Command post exercise

CRM – Composite risk management

DA – Department of the Army

DA Pam – Department of the Army Pamphlet

DoD – Department of Defense

DoDD – Department of Defense Directive

DoDI – Department of Defense Instruction

DoLI – Virginia Department of Labor and Industry (i.e., State OSHA)

DOT – Department of Transportation

DRU – Direct reporting unit

DUI – Driving under the influence

ECP – Exposure control plan

EO – Executive Order

EPA – Environmental Protection Agency

FAA – Federal Aviation Administration

FM – Field Manual

FOIA – Freedom of Information Act

GFE – Government furnished equipment

GFP – Government furnished property

GOV – Government Owned Vehicle

HBV – Hepatitis B virus

HIV – Human immunodeficiency virus

HSPG – Highway Safety Program Guidelines

IAI – Installation-level accident investigation

IATA – International Air Transport Association

IACO – International Civil Aviation Organization

IN – Initial notification

JHA – Job hazard analysis

MIL-STD – Military Standard

MP – Military Police

MSDS – Material safety data sheet (see also SDS or safety data sheet)

MTF – Medical treatment facility

NCO – Noncommissioned Officer

NFPA – National Fire Protection Association

NTSB – National Transportation Safety Board

OJT – On-the-job training

OSH – Occupational Safety and Health

OSHA – Occupational Safety and Health Administration

OSH Act – Occupational Safety and Health Act

PL – Public Law

POC – Point of Contact

POV – Privately Owned Vehicle

PPE – Personal Protective Equipment

RAC – Risk Assessment Code

SDS – Safety data sheet (see also MSDS – MSDS being phased out by revision of OSHA Hazard Communications Standard)

SME – Subject matter expert

SOH – Safety and occupational health

SOP – Standing Operating Procedure or Standard Operating Procedure

SSMP – Safety System Management Plan

SSP – Strategic Safety Plan

SSRA – Safety System Risk Assessment

TDY – Temporary Duty Assignment

VC – Vehicle Commander

VDF – Virginia Defense Force

Section 2

Terms

Accident – Any unplanned event or series of events that result in death, injury, or illness to personnel, or damage to or loss of equipment or property. (Within the context of this regulation, accident is synonymous with mishap.)

Accident-based risk management – A component of CRM used to identify, evaluate, manage and prevent accidents to personnel, equipment, and the environment during peacetime and contingency operations due to safety and occupational health factors and other accident-based factors.

Aircraft – Flying machines, whether manned or unmanned, weight carrying structure for navigation of the air that is supported by the dynamic action of the air against its surfaces.

Aircraft ground accident – Injury or property damage accidents involving aircraft in which no intent for flight exists and the engine(s) is/are in operation.

Annual basis or annually – Annual basis or annually should be from the month of the current year to the same month of the following year. However, the time will not exceed 13 months.

Barrier – A permanent or temporary impediment to foot and/or vehicular traffic that personnel are prohibited to pass without approval from range control or other appropriate authority. A barrier may be a sentinel, wire fencing, gate, sign, or other access-limiting device.

Command responsibility – Commanders down the entire chain of command are responsible for the safety of their personnel.

Commander – An individual that lawfully exercises over subordinates by virtue of rank or assignment. This includes the authority and responsibility for effectively using available resources for planning the employment or, organizing, directing, coordinating and controlling forces for the accomplishment of assigned missions. This also includes responsibility for health, welfare, morale and discipline of assigned personnel in his or her “command.”

Competent authority – An individual designated in command, responsible for the direction, coordination and control of personnel. The commander alone is responsible for everything his or her unit does or fails to do. They cannot delegate their responsibility or any part of it, although they may delegate portions of their authority to competent individuals. An individual designated by the commander to address areas of primary interest within that individual's technical expertise.

Composite risk – Blends threat-based risks with accidental, hazard-based risks.

Control – Action taken to eliminate hazards or reduce their risk.

Days away from work – The actual or estimated number of days lost that the individual could not work, excluding the day of the injury / occupational illness. Count all calendar days including weekends and holidays.

Emergency – An event for which an individual perceives that a response is essential to prevent or reduce injury or property damage.

Engineering controls – Regulation of facility operations using prudent engineering principles, such as facility design, operation sequencing, equipment selection, and process limitations.

Environmental factors – Environmental conditions, which had, or could have had, an adverse effect on the individual's actions or the performance of equipment.

Establishment – A single physical location where business is conducted or where services or operations are performed. Where distinctly separate activities are performed at a single physical location, each activity shall be treated as a separate establishment. Typically, an establishment refers to a field activity, regional office, area office, installation, or facility.

Evaluation – A specialized inspection designed to determine the effectiveness of a unit's safety and health program.

Exposure – The frequency and length of time personnel and equipment are subjected to a hazard.

Explosion – A chemical reaction of any chemical compound or mechanical mixture that, when initiated, undergoes a very rapid combustion or decomposition, releasing large volumes of highly heated gases that exert pressure on the surrounding medium. Depending on the rate of energy release, an explosion can be categorized as a deflagration or a detonation.

Extremely hazardous substances – The EPA uses the term extremely hazardous substance for the chemicals that must be reported to the appropriate authorities of released above the threshold reporting quantity. Each substance has a threshold reporting quantity. The list of extremely hazardous substances is identified in Title III of Superfund Amendments and Reauthorization Act (SARA) of 1986 (40 CFR 355).

Facility – An area within a building that provides appropriate protective barriers for persons working in the facility and the environment external to the facility and outside of the building.

Federal OSHA official – Investigator or compliance officer employed by, assigned to, or under contract to OSHA.

Field operations – Operations conducted outdoors or outside of man-made enclosures or structures. Short-term operations in storage structures are also considered as field operations.

Firefighting – Activities associated with developing or using firefighting skills.

First aid – First aid is defined as using a list of procedures that are all-inclusive and is not a recordable injury. If a procedure is not on the list, it is not considered first aid for recordkeeping purposes. The following are the procedures contained in the list:

- a. Using nonprescription medication at nonprescription strength. However, if an individual is provided prescription medications or nonprescription medications at prescription strength, this is considered medical treatment.
- b. Tetanus immunizations.
- c. Cleaning, flushing, or soaking surface wounds.
- d. Wound coverings, butterfly bandages, Steri-Strips. The use of wound closure methods such as sutures, medical glues, or staples is considered medical treatment.
- e. Hot or cold therapy regardless of how many times it is used.
- f. Nonrigid means of support.
- g. Temporary immobilization device(s) used to transport accident victims.
- h. Drilling of fingernail or toenail; draining fluid from blister.
- i. Eye patches.
- j. Removing foreign bodies from eye using irrigation or cotton swab. However, use of other methods to remove materials from the eye is medical treatment.
- k. Removing splinters or foreign material(s) from areas other than the eye by irrigation, tweezers, cotton swabs, or other simple means.
- l. Finger guards.
- m. Massages. Massage therapy is first aid, but physical therapy or chiropractic treatment is considered medical treatment.
- n. Drinking fluids for relief of heat stress. (Drinking fluids for relief of heat stress is first aid, but administering an IV is medical treatment.)

Flammable – A material that has the characteristic of being easily ignited and burning readily.

Flight mission – Flight or series of flights (sorties), conducted to accomplish a specific task or series of tasks in support of the unit's approved mission statement. Each mission is assigned to a designated pilot-in-command (PC) and/or air mission commander.

Foreign object damage (FOD) – Damage to VDF vehicle/equipment/property as a result of objects alien to the vehicle/equipment damaged. Excludes aircraft turbine engines defined as a FOD incident.

Ground accident – Any accident exclusive of aviation (flight / flight-related / aircraft-ground).

Hazard – Any actual or potential condition that can cause injury, illness, or death of personnel or damage to or loss of equipment, property, or mission degradation or a condition or activity with potential to cause damage, loss, or mission degradation.

Hazard analysis – A hazard analysis is a clear, systemic, concise, well defined, orderly, consistent, closed-loop, quantitative or qualitative and objective methodology used to identify possible hazards within a mission, system, equipment, or process that can cause losses to the mission, equipment, process, personnel, or damage to the environment. Examples of hazard analyses are: What-If, Preliminary Hazard Analysis, Sneak Circuit Analysis, Hazard and Operability Study, Fault Tree Analysis, Failure Mode and Effects Analysis, and Fault Hazard Analysis.

Hazardous chemical – OSHA uses the term hazardous chemical to denote any chemical that would be a risk to individuals if exposed in the workplace. Hazardous chemicals cover a broader group of chemicals than the other chemical lists.

Hazardous wastes – The EPA uses the term hazardous wastes for chemicals that are regulated under the Resource Conservation and Recovery Act (RCRA) (42 USC 6901). Hazardous wastes in transportation is regulated by DOT (49 CFR 170 through 49 CFR 179).

Hazard class – The United Nations Organization hazardous classification system, which contains 9 hazard classes, is used by the DOT for dangerous materials to identify the hazardous characteristics of the material(s).

Hazardous materials (HAZMAT) – Definitions are:

- a. “Hazardous material” means any material that has been designated as hazardous under 49 USC 5101 to 49 USC 5127 and is required to be placarded under 49 CFR 172, Subpart F or any quantity of material listed as a select agent or toxin in 42 CFR 73.
- b. Substances that have hazardous characteristics such as flammable, corrosive, reactive, toxic, radioactive, poisonous, carcinogenic or infectious, having properties capable of producing adverse effects on the health and safety or the environment of a human being. Legal definitions are found in individual regulations.
- c. Any substance of material involved in an accident and released in sufficient quantities, poses a risk to people’s health, safety, and/or property. These substances and materials include explosives, radioactive materials, flammable liquids or solids, combustible liquids or solids, poisons, oxidizers, toxins, and corrosive materials (Federal Emergency Management Agency definition).
- d. The DOT uses the term hazardous materials which covers 8 hazard classes, some of which have subcategories called classifications and a ninth class covering other regulated materials. The DOT includes in its regulations hazardous substances and hazardous wastes as other regulated materials-E (ORM-E), both of which are regulated by the EPA, if their inherent properties would not otherwise be covered.

Hazardous Substances – Two form of definitions:

- a. The EPA uses the term hazardous substance for the chemicals that, if released into the environment above a certain amount, must be reported and depending on the threat to the environment, Federal involvement in handling the incident can be authorized. A list of the hazardous substances is published in 40 CFR 302, Table 302.4.
- b. OSHA uses the term hazardous substance in 29 CFR 1910.120, which resulted from Title I of SARA and covers emergency response. OSHA uses the term differently than the EPA. Hazardous substances, as used by OSHA, cover every chemical regulated by both DOT and EPA.

Health hazard – An existing or likely condition, inherent to the operation, maintenance, storage or disposal of materiel or a facility, that can cause death, injury, acute or chronic illness, disability, or reduced job performance.

Health hazard assessment – The application of biomedical and psychological knowledge and principles to identify, evaluate, and control the risk to the health and effectiveness of personnel.

Hospitalization – Admission to a hospital as an in-patient for medical treatment.

Human error – Human performance that deviated from that required by the operational standards or situation. Human error in accidents can be attributed to a system inadequacy / root cause in training, standard, leader, individual, or support failure.

Human factors – Human interactions (man, machine, and/or environment) in a sequence of events that were influenced by, or the lack of human activity, which resulted or could result in an accident.

Imminent danger – Conditions or practices in any workplace that pose a danger that reasonably could be expected to cause death or severe physical hardship before the imminence of such danger could be eliminated through normal procedures.

Independent evaluation – The process used by the independent evaluators to independently determine if the system satisfies the approval requirements. It will render an assessment of data from all sources, simulation and modeling, and an engineering or operational analysis to evaluate the adequacy and capability of the system.

Individual risk – Risk to a single exposed person.

Inherent hazard – An existing or permanent hazard (i.e., high voltage).

Injury – A traumatic wound or other condition of the body caused by external force, including stress or strain. The injury is identifiable as to time and place of occurrence and member or function of the body affected, and is caused by a specific event, incident, or series of events within a single day or work shift.

Inspection – Comprehensive survey of all or part of a workplace in order to detect safety and health hazards. Inspections are normally performed during regular work hours or the organization, except as special circumstances may require. It is also the process of determining compliance with safety and health standards through formal and informal surveys of workplaces, operations, and facilities.

Intent for flight – Intent for flight begins when power is applied or brakes released to move the aircraft under its own power, for the purpose of commencing authorized flight with an authorized crew. Intent for flight ends when the aircraft is at a full stop and power is completely reduced. Intent for flight is the physical act of applying power to move the aircraft, not the thought process of the crew member as to what is going to occur in the future.

Investigation – A systematic study of an accident, incident, injury, or occupational illness circumstance.

Job transfer – When personnel are assigned to a job other than their regular job for part of the day as a result of an injury or occupational illness.

Maintenance / repair / servicing – Activities associated with the maintenance, repair or servicing of equipment or other property. Excludes janitorial, housekeeping, or grounds-keeping activities.

Medical treatment – Medical treatment is the management and care of a patient to combat disease or disorder. It does not include:

- a. Visits to a physician or licensed health care professional solely for observation or counseling.
- b. Diagnostic procedures.
- c. First aid.

Mishap risk management – A component of CRM used to identify, evaluate, and prevent accidents to personnel, equipment, and the environment during peacetime and contingency operations due to safety and occupational health factors, design and construction of equipment, and other mishap factors.

Mission – Flight or series of flights (sorties), conducted to accomplish a specific task or series of tasks in support of the unit's approved mission statement. Each mission is assigned to a designated pilot in command and/or air mission commander.

Motorcycle – Powered two- and three-wheeled vehicles, including mopeds and motorbikes.

Near miss – A potentially serious accident or incident that could have resulted in personnel injury, death, or property damage, damage to the environment and/or illness, but did not occur due to one or more factors.

Non-DoD component – Any entity (government, private, or corporate) that is not a part of DoD.

Note – Additional information provided to expand understanding of the subject and to call attention to areas of interest.

Occupational hazard – Conditions, procedures, and practices directly related to the work environment that creates a potential for producing occupational injuries or illnesses.

Occupational illness – Non-traumatic physiological harm or loss of capacity produced by systemic infection; continued or repeated stress or strain; for example, exposure to toxins, poisons, fumes; or other continued and repeated exposures to conditions of the work environment over a long period of time. Includes any abnormal physical or psychological condition or disorder resulting from an injury caused by long- or short-term exposure to chemical, biological, or physical agents associated with an occupational environment. For practical purposes, an occupational illness is any reported condition that does not meet the definition of an injury.

Occupational injury – A wound or other condition of the body caused by external force, including stress or strain. The injury is identifiable as to time and place of the occurrence and a member or function of the body affected, and is caused by a specific event, incident, or series of events or incidents within a single day or work shift.

Office – Activities associated with the performance of clerical, typing, and administrative type duties. Excludes supervisory activities. Examples: Typing / work processing, filing / posting, telephoning, operating office machines.

Off-duty – VDF personnel are off-duty when they:

- a. When they are not in an on-duty status, whether on or off a VDF facility or military installation.
- b. Have departed official duty station or temporary duty station at termination of normal work schedule. (**NOTE:** For VDF personnel, this normally includes the one-way travel period to and from the individual's home of record and the duty location. It does not include travel time for multiple-day events other than the initial travel to and the final travel from the duty location.)
- c. Are participating in voluntary and/or installation team sports.
- d. Are on lunch or other rest break engaged in activities unrelated to eating and resting.

On-duty – VDF personnel are considered on-duty, for the purposes of accidents, when they are:

- a. Physically present at any location where they are to perform their officially assigned work. (This includes those activities incident to normal work activities such as lunch, coffee, or rest breaks. This does not include non-work related activities (e.g., working on a personal vehicle during work hours).
- b. Being transported by VDF owned or contracted vehicles for the purpose of performing officially assigned work. This would include initial travel to and from a drill or TDY location in a POV, but not daily transportation to or from a work location.
- c. Participating in compulsory physical training activities or other organization events.

Operational control – Operational control is the authority to perform those functions of command over subordinate forces involving organizing and employing command and forces, assigning tasks, designating objectives, and giving authoritative direction necessary to accomplish the mission. Operational control includes authoritative direction over all aspects of military operations and Joint training necessary to accomplish missions assigned to the command. It does not, in and of itself, include authoritative direction for logistics or matters of administration, discipline, internal organization, or unit training.

Operating vehicle – Activities associated with operating vehicle under power. Examples: Driving, convoying / road marching, towing / pushing, mowing, hauling / transporting, driver testing, flying.

Over-the-road – Operation or driving on paved roads / highways.

Permanent partial disability – Any injury or occupational illness that does not result in death or permanent total disability, but in the opinion of competent medical authority, results in the loss or permanent impairment of any part of the body, with the following exceptions:

- a. Loss of teeth.
- b. Loss of fingernails or toenails.
- c. Loss of tip of fingers or toes without bone involvement.
- d. Inguinal hernia, if it is repaired.
- e. Disfigurement or sprains or strains that do not cause permanent limitation of motion.

Permanent total disability – Any nonfatal injury or occupational illness that, in the opinion of competent medical authority, permanently and totally incapacitates a person to the extent that he or she cannot follow any gainful employment. (The loss of, or the loss of use of, both hands, feet, eyes, or any combination thereof as a result of a single accident will be considered as permanent total disability.)

Physical training – Body conditioning or confidence building activities. Examples: Confidence courses, marches, running / jogging, physical training test.

Probability – Probability is the qualitative or quantitative likelihood of a particular event or sequence of actions initiated by a hazard-related Cause resulting in a Maximum Credible Loss. The Probability can be expressed as the product of the Incident Rate and Mishap Set Likelihood.

Qualified safety and health personnel – Includes personnel who have been primarily engaged in safety and occupational health specialties in the military or civilian occupations, have documented training within these areas (i.e., associates, bachelors, and/or masters degrees), and/or are qualified under the civil service classifications for safety, medical, occupational health, or industrial hygiene.

Recommendations – Those actions advocated to the command to correct system inadequacies that caused, contributed, could cause or contribute to a VDF accident. Also referred to in this regulation as corrective action, remedial measures and/or countermeasures.

Recordable accident – Reportable accident that meets the minimum criteria stated in the regulation for aviation and ground Class A-D accidents.

Reportable accident – All occurrences that cause injury, occupational illness, or property damage of any kind must be reported to the local safety office and to the VDF, G.W. Division Safety Office.

Residual hazards – Hazards that are not eliminated by design.

Residual significant risk – Any risk remaining in a system after corrective actions have been executed.

Residual risk – The levels of risk remaining after controls have been identified and countermeasures selected for hazards that may result in the loss of effectiveness. Risks remaining after hazard mitigation measures have been applied.

Restricted work activity – Individual's injury is such that they are unable to perform their normal duties (e.g., light duty).

Risk – Risk is directly related to the ignorance or uncertainty of the consequences of any proposed action. Risk is an expression of possible loss in terms of hazard severity and hazard probability. Risk is the expected value of loss associated with a loss caused by a hazard expressed in dollars. The risk associated with this loss is mathematically derived by multiplying the probability of the loss's likelihood by the probable dollar loss associated with the loss's severity. Note that risk has two dimensions – likelihood and magnitude, while a hazard has only one – varied magnitude.

Risk acceptability – Risk acceptability is that level of risk which has been determined as tolerable in order to fulfill mission requirements. It represents a level of risk where either the output of resources to rectify safety deficiencies does not result in a proportional increase in the level of safety to be provided; or so restricts the performance that the assigned mission cannot be executed.

Risk acceptance – Risk acceptance is a formal and documented process indicating that leadership understands the hazard, its associated cause, and the probable consequences to mission, personnel, equipment, public and/or the environment and that they have determined that the total risk is acceptable because of mission execution.

Risk acceptance level – Used to denote the level of risk a particular level of leadership may accept. These levels are based on the magnitude of the risk involved and the duration of the risk acceptance.

Risk assessment – An evaluation of a risk in terms of loss should a hazard result in an accident and against the benefits to be gained from accepting the risk.

Risk decision – The decision to accept or not accept the risk(s) associated with an action; made by the commander, leader, or individual responsible for performing the action and having the appropriate resources to control or eliminate the risk's associated hazard.

Safety – Freedom from those conditions that can cause death, injury, occupational illness, or damage to, or loss of, equipment or property.

Safety objectives – Criteria for comparing and judging measures for adequacy. Safety objectives incorporate the safest measures consistent with operational requirements.

Security / law enforcement – Activities associated with MP or other personnel performing security or law enforcement rescue duties. Examples: Traffic safety guarding / patrolling, controlling disturbances.

Severity – A qualitative or quantitative assessment of the degree of injury, occupational illness, property, facility, or environmental damage associated with a maximum credible loss. Severity is dependent only on the Maximum Credible Loss. Once established for a Maximum Credible Loss, it does not change. Only the probability of a Maximum Credible Loss can be reduced.

Significant Risk – A risk associated with a particular hazard where the hazard likelihood of occurrence and its potential impact on the mission, person, equipment, or facility is such that it can be reasonably expected to cause bodily harm, damage to equipment, or the facility, or delay in the execution of the mission unless corrected. Normally, they are assigned a RAC of 1, 2, or 3.

Single-hazard risk – Risk associated with a single hazard of the system.

Single hearing protection – Wearing either ear plugs or noise attenuating headsets.

Special hazards areas – Areas identified containing hazards which due to their nature could not be eliminated through design selection and therefore depend upon training, procedures, and PPE for control of the hazards to tolerable levels. Examples: Kitchens, machine shops, areas around conveyor belts, hazardous chemical storage areas, etc.

Standards failure – Standards / procedures not clear or practical, or do not exist.

State OSHA official – Investigator or compliance officer employed by, assigned to, or under contract to state OSHA / Commonwealth of Virginia Department of Labor and Industry.

Supervisory – Activities associated with the management of personnel.

Support failure – Inadequate equipment / facilities / services in type, design, availability, or condition, or insufficient number / type of personnel, which influenced human error, resulting in a VDF accident.

System – A composite, at any level of complexity, of trained personnel, procedures, materials, tools, equipment, facilities, and software. The elements of this composite entity are used together

in the intended operational or support environment to perform a given task or achieve a specific production, support, or mission requirement.

System inadequacy – A tangible or intangible element that did not operate to standards, resulting in human error or materiel failure. Also referred to as causes, readiness shortcomings, and/or root causes.

System safety – The application of engineering and management principles, criteria, and techniques to optimize safety within the constraints of operational effectiveness, time, and cost throughout all phases of systems', equipment's, or facilities' life cycle.

System safety lesson learned – A collection of real or potential safety or health-related problems based on data analysis or experience that can be applied to future and current systems to prevent similar recurrences.

System safety management – An element of management that defines the system safety program requirements and ensures the planning, implementation, and accomplishment of system safety tasks and activities consistent with the overall program requirements.

System safety management plan (SSMP) – A management plan that defines the system safety program requirements of the VDF or Government. It ensures the planning, implementation, and accomplishment of system safety tasks and activities consistent with the overall program requirements.

Tolerable risk – The level of risk associated with a specific hazard below which a hazard does not warrant any expenditure or resources to mitigate. From a legal standpoint it would be considered as a “de minimus” risk, from the Latin phrase “de minimus noncurat lex,” meaning “the law does not concern itself with trifles.”

Training-related death – A death associated with a non-combat type exercise or training activity that is designed to develop an individual's physical ability or to maintain or increase individual / collective skills, and is due to either an accident or the result of natural causes occurring during or within one hour after any training activity where the exercise or activity could be a contributing factor. This does not apply to individuals participating in personal wellness or exercise programs.

VDF accident – A VDF accident is defined as an unplanned event, or series of events, which results in one or more of the following:

- a. Occupational illness to VDF personnel.
- b. Injury to on-duty VDF personnel.
- c. Damage to VDF property.
- d. Damage to public or private property, and/or injury or accident to non-VDF personnel caused by VDF operations (i.e., the VDF had a causal or contributing role in the accident).

VDF property – Any item of VDF property, or property leased by the VDF for which the VDF has assumed risk of loss, such as aircraft, vehicle, building, structure, system, etc.

VDF Vehicle – Any vehicle that is owned, leased, or rented by the Virginia Defense Force. A vehicle that is primarily designed for over-the-road operation. A vehicle whose general purpose is the transportation of cargo or personnel. Examples are passenger cars, station wagons, trucks, ambulances, and buses.

Workplace – A place (whether or not within or forming a part of a building, structure, or vehicle) where any person is to work, is working, for the time being works, or customarily works, for gain or reward; and in relation to an employee, includes a place, or part of a place, under the control of the employer.

Work-related injuries – Injuries or occupational illnesses incurred while performing duties in an on-duty status.