



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

CESO (385)

08 MAR 2005

MEMORANDUM FOR: USACE Safety and Occupational Health Offices

SUBJECT: Interim Guidance for Contractor Accident Reporting and Recordkeeping in Accordance with OSHA 29 CFR Part 1904 and EM 385-1-1, Section 01.D

1. Background:

a. The Occupational Safety and Health Administration (OSHA) revised their accident reporting and recordkeeping requirement (29 CFR Part 1904) for the private sector (to include our contractors) three years ago. U. S. Army Corps of Engineers (USACE) contractor accident reporting and recordkeeping requirements are specified in Engineer Manual (EM) 385-1-1, Safety and Health Requirements Manual and USACE Supplement 1 to AR 385-40. Current USACE procedures are not consistent with the updated OSHA requirements.

b. Current requirements in EM 385-1-1, Section 01.D requires the Prime Contractor to:

(1) EM 385-1-1, Section 01.D.01 - *"All accidents that occur incidentally to an operation, project, or facility for which this manual is applicable will be investigated, reported, and analyzed as prescribed by the Government Designated Authority (GDA)."* Contractors are currently required to complete an ENG Form 3394, Accident Investigation Report in accordance with our existing procedures.

(2) EM 385-1-1, Section 01.D.05.a - *"Maintain records of all exposure and accident experience incidental to the work (this includes exposure and accident experience of the Prime Contractor and subcontractors and, as a minimum, these records shall include exposure work hours and a log of occupational injuries and illnesses - OSHA Form 300 or equivalent as prescribed by 29 CFR 1904; provide a current copy of OSHA Form 300 or equivalent to the GDA (Government Designated Authority) upon request."* This is a requirement in the current EM 385-1-1 and in the previous manual.

(3) EM 385-1-1, Section 01.D.05.c - *"Submit project work hours to the COR monthly on the form provided by the COR. Work hours include all hours on the project where an employee is in an on-duty pay status."* This is a requirement in the current EM 385-1-1 and in the previous manual.

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(4) Currently, contractors subject to EM 385-1-1 are required to report their accidents and provide to the GDA their exposure work-hours on projects. However, the guidance in EM 385-1-1, Section 01.D.05 does not provide a standardized method for collecting contractor monthly accident experience and exposure work-hours on projects. USACE has determined that the manner in which monthly contractor accident experience and exposure work-hours are reported and recorded needs to be standardized and be consistent with the updated OSHA requirements contained at 29 CFR Part 1904.

2. As part of USACE 2012 business process improvements for contractor accident recordkeeping, it has been determined that USACE recordkeeping should be consistent with that used by OSHA for the private sector. For your information, the USACE Safety and Occupational Health Office (CESO) is finalizing the development of a standardized automated data collection system (Accident Experience and Analysis System – AEAS). It is expected to be fielded in the beginning of FY 06. Until then the following interim guidance is provided.

3. Effective immediately, the following interim guidance shall be implemented for all contracts where the requirement to comply with the provisions of EM 385-1-1 are specified (FAR Clause 52.236-13, Accident Prevention).

a. The prime contractor shall carry out the requirements contained in EM 385-1-1 in accordance with the following:

(1) Report accidents in accordance with EM 385-1-1 and record accident investigations on ENG Form 3394 in accordance with the OSHA requirements at 29 CFR Part 1904. Provide to GDA as specified locally.

(2) Complete the “USACE Contractor Monthly Summary Record of Injuries/Illness and Work Hour Exposure” (for prime and its subcontractors) on the EXCEL spreadsheet provided at Enclosure 1, and forward to the GDA no later than close of business (COB) the 10<sup>th</sup> day of the following month. For example, work performed for the month of February 2005 shall be recorded and provided to the GDA by COB 10 March 2005. Instructions for completing the spreadsheet are included on the spreadsheet itself and in an additional Summary sheet provided at Enclosure 2. The method of transmission by the prime contractor to the GDA shall be locally prescribed (electronic, hardcopy).

b. The GDA shall

(1) Upon receipt of the completed prime contractor monthly record, review its content, complete the “For Government Use Only” shaded area, and electronically

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transmit to the local command safety and occupational health office no later than COB the 12<sup>th</sup> day of the following month.

(2) Review contractor submitted ENG 3394, complete their portion and forward to their local Safety and Occupational Health Office as locally prescribed.

c. The Local Command Safety and Occupational Health Office shall

(1) Perform an analysis of each contractor monthly spreadsheet and compile a monthly summary report on the standardized USACE Local Command Monthly Contractor Exposure Report provided at Enclosure 3 no later than COB the 15<sup>th</sup> day of the following month. Local commands that are part of an Regional Business Center (RBC) (division) shall submit their monthly summary report to their RBC (respective HQ Forward Safety and Occupational Health Manager) no later than COB the 15<sup>th</sup> day of the following month.

(2) For each calendar quarter, compile a calendar year quarterly summary report on the standardized USACE Quarterly Contractor Exposure Report provided at Enclosure 4 no later than COB the 15<sup>th</sup> day following the end of each calendar quarter. Local commands that are part of an RBC (division) shall submit their quarterly summary report to their RBC (respective HQ Forward Safety and Occupational Health Manager) and the HQUSACE CESO Loss Control Manager no later than COB the 15<sup>th</sup> day following the end of the calendar year quarter.

(3) Conduct a comprehensive review of all ENG 3394s and ensure they are staffed and signed in accordance with USACE Supplement 1 to AR 385-40. Upon completion, provide a copy to the assigned HQ Forward Safety and Occupational Health Manager and the HQUSACE CESO Loss Control Manager.

d. The HQ Forward SOH Manager shall

(1) Review local command submitted monthly and calendar quarter summary reports and prepare required RBC briefing charts for dissemination RBC-wide and for command CMRs.

(2) Review ENG 3394 accident reports and conduct RBC-wide trend analyses and share RBC-wide and with the HQUSACE CESO Loss Control Manager.

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d. Other USACE Commands (ERDC, Centers, FOA) shall,

(1) Electronically forward the Quarterly Contractor Exposure Report to the HQUSACE CESO Loss Control Manager no later than COB the 15<sup>th</sup> day following the end of the calendar year quarter.

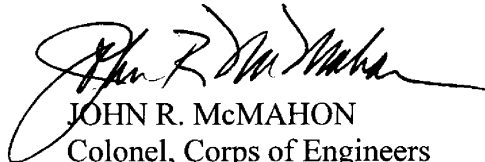
(2) Conduct a comprehensive review of all ENG 3394s and ensure they are staffed and signed in accordance with USACE Supplement 1 to AR 385-40. Upon completion, provide a copy to the HQUSACE CESO Loss Control Manager.

(3) Conduct command-wide trend analyses and share with subordinate units and the HQUSACE CESO Loss Control Manager.

4. Questions concerning this directive should be addressed to the HQUSACE CESO Loss Control Manager at 202-761-8600 or [Brenda.A.Warren@usace.army.mil](mailto:Brenda.A.Warren@usace.army.mil).

FOR THE COMMANDER:

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JOHN R. McMAHON  
Colonel, Corps of Engineers  
Chief of Staff