DEPARTMENT OF THE ARMY ER 385-1-224
U.S. Army Corps of Engineers
CESO Washington, DC 20314-1000

Regulation
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Safety
USACE SAFETY AWARD AND RECOGNITION PROGRAM

1. Purpose and Scope. This regulation establishes the criteria and procedures for the Chief of Engineers Safety Awards and Recognition Program, guidance for USACE participation in Department of the Army Safety Awards, and guidance for the establishment of safety award and recognition programs at Subordinate Commands.

a. The objective of this Safety Awards program is to promote and support excellence in mission performance in the areas of mishap and hazard prevention, integration of Consolidated Risk Management (CRM) principles, and fostering a sound safety culture throughout USACE. Commands and organizations recognized will have demonstrated extraordinary commitment to a safety culture that is integral to operational readiness and mission success.

b. Safety award and recognition programs improve safety awareness and reinforce safety culture through recognition and promotion of individual and organizational risk management. Commanders and Directors of all USACE Subordinate Commands and activities are encouraged to apply for Army and HQUSACE awards to recognize outstanding safety achievements and also to develop their own safety award and recognition programs to recognize Subordinate Commands/Units and employees.

2. References.

a. AR 385-10 The Army Safety Program.

b. AR 672-20 Incentive Awards.

c. DA Pam 385-10 The Army Safety Program.

d. DA Memo 385-3 HQDA MACOM Safety Program.

e. DA Pam 672-20 Incentive Awards Handbook.

f. 33 USC Title 33, Chapter 12, Subchapter I, Section 569d. Safety Award and Promotional Materials.

g. Public Law 102-580, Section 210. Safety Award and Promotional Materials

3. Definitions. For the purpose of this regulation, the following definitions apply.

a. Awards. Awards are given to USACE organizations or team members to recognize significant contributions to the safety program on a sustained basis or for exceptional action in an emergency or other single action. Awards are either based entirely on merit or may be competitive in nature.

b. Recognition. Recognition is given to all individuals, teams, and districts meeting specified criteria. Recognition is non-competitive. For USACE individuals, teams, and districts recognition may take the form of a certificate, plaque, or trophy IAW the provisions of this document and the references included in the document. Contractor recognition will be by certificate only IAW OC guidance.

4. Types of Awards.

a. Department of the Army Level Unit Awards. USACE individuals, projects, units, and commands are strongly encouraged to nominate themselves or subordinates for DA-level Safety Awards. Guidance on eligibility requirements, nomination, documentation, and judging of the Army Level Unit Awards is found in DA PAM 385-10, Chapter 6, Section 3. The USACE equivalent organizations to the military organizations targeted in each award are listed at the end of the paragraphs below in parentheses for clarification.

(1) Secretary of the Army/Chief of Staff, Army (SA/CSA) “Army Headquarters Safety Award”. This plaque is awarded by the SA/CSA to ACOMs, ASCCs, and DRUs that have demonstrated significant improvements, sustained excellence and leadership in accident prevention programs. (HQUSACE)

(2) SA/CSA “Exceptional Organization Safety Award”. This plaque is awarded each fiscal year to the battalion through division and garrison organization with the most effective overall safety program. (Centers/Labs, Districts, Divisions)

(3) SA/CSA “Individual Award of Excellence in Safety”. This plaque is awarded each fiscal year to individuals who in each of 4 categories— officer, NCO/enlisted, Army civilian, and contractor make the most significant contribution to accident prevention. (USACE Officers, NCO/ enlisted, Civilians, and Contractors)

(4) Director of Army Safety “Composite Risk Management Award”. This plaque is awarded by the ODASAF to organizations or individuals who have made significant contributions to Army readiness through CRM. (All USACE organizations or individuals)

(5) Sergeant Major of the Army (SMA) “Superior Soldier Safety Award”. The SMA awards a plaque to the Soldier who demonstrates “pockets of excellence” or “best practices” in safeguarding Army operations or personnel. (USACE Military)

(6) Director of Army Safety "United States Army Safety Guardian Award". This award is presented by the ODASAF to individuals who through extraordinary individual action in an emergency situation, prevent an imminently dangerous situation, prevent injury to personnel, or minimize or prevent damage to Army property. (All USACE Personnel)

(7) Director of Army Safety "Army Aviation Broken Wing Award". This award is presented by the ODASAF to individuals who through outstanding airmanship, minimize or prevent aircraft damage or injury to personnel during emergency situations. (not currently applicable in USACE)

(8) SA/CSA "Army Industrial Operations Award". This plaque is presented by the SA/CSA each fiscal year to the Army organization with the most effective overall industrial safety program. (USACE Districts with operating projects; powerhouses, locks, maintenance and repair facilities, float units, dredges)

b. Army Headquarters and Organizational Level Awards. Guidance on eligibility requirements, nomination, documentation, and judging of the Army Headquarters and Organizational Level Awards is found in DA PAM 385-10, Chapter 6, Section 4.

(1) Army Accident Prevention Award of Accomplishment. This award is presented to TOE or TDA detachments; company–size units, battalions, or equivalent; brigades or equivalent; and divisions, installations, or activities that have completed 12 consecutive months, or a major training exercise, or an actual deployment of greater than 120 days without experiencing a class A, B, or C accident. (Any USACE Organization from facility to Division meeting the criteria)

(2) U.S. Army Aircrew Member Safety Award. Commanders present this award to aircrew members with at least 500 flight hours of accident free hours as a crewmember. (Not currently applicable to USACE)

(3) Other individual and organizational awards. Leaders at all levels will recognize safe performance of individuals and subordinate organizations. Leaders are encouraged to develop awards that are tailored to recognize the accident prevention accomplishments within their sphere of activity, interest or operation. Leaders may use DA Form 1119–1 (Management Control Evaluation Certification Statement) or are authorized to design and use locally produced certificates or trophies.

(4) Unit Impact Awards. Commanders are encouraged to develop and issue policies for safety impact awards to promote safety awareness through on the spot recognition of safety related actions that are above and beyond what is required of an individual or organization.

c. Army Unit Safety Certification. This award is used to identify units, platoon size or larger, that have achieved levels of safety that deserve recognition. Qualification

criteria for the Army Unit Safety Certificate may be found at AR 385-10, Chapter 8, Section 6. (USACE Military Units).

d. HQUSACE Chief of Engineers' Awards for Safe Performance. The Chief of Engineers Safety Awards Program is developed to recognize USACE commands and organizations that have demonstrated exceptional operational excellence by sustained mission success with simultaneous exemplary safety performance. Guidance for nomination for the Chief of Engineers Awards may be found at Appendix A of this regulation.

(1) Chief of Engineers "Safety Award of Excellence". This award is presented each fiscal year by the Chief of Engineers to recognize one USACE MSC, one USACE Center/Activity, and one USACE District that have demonstrated the highest degree of excellence in the management of safety and occupational health programs and excellence in team member performance toward meeting program goals.

(2) Chief of Engineers "Safety Award of Honor". This award is presented each fiscal year by the Chief of Engineers to recognize USACE MSCs, USACE Center/Activities and USACE Districts that have performed extremely well, but are not selected for the Excellence Award.

(3) USACE "Special Recognition". This award may be presented to an individual or unit by the Chief of Engineers as "Award of Honor-Special Recognition" to recognize a specific outstanding safety program or by the HQUSACE Chief of Safety as a special acknowledgement of an outstanding safety achievement.

e. Subordinate Command/Unit Safety Awards.

(1) Subordinate Commands/units will establish a program and criteria to recognize subordinate units that exhibit exceptional quality safety and occupational health performance which contributes significantly toward the assigned organization or team members. These awards may include certificates, plaques, trophies, or similar items with an award or honor connotation. Each Subordinate Command/unit must establish its own criteria for determining which organizations will receive the awards. The criteria adopted may be similar to the criteria established by this regulation for the Chief of Engineers Safety Awards.

(2) Subordinate Commands/units may recognize individual team members for safety performance that is substantially above normal job requirements and performance standards. Such recognition traditionally is in the form of certificates, plaques, or trophies. Each subordinate command/unit should establish its own criteria for determining individual award recognition based on Army and OPM guidance.

5. Recognition Programs. Regulatory guidance on recognition programs may be found in references e, f, and g of this regulation. Subordinate Commands/units should establish

recognition programs to recognize outstanding safety performance of USACE team members. Such recognition for USACE team members may be in the form of certificates, plaques, cash, or other forms of recognition.

FOR THE COMMANDER:

DIONYSIOS ANNINOS
Colonel, Corps of Engineers
Chief of Staff

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APPENDIX A

Chief of Engineers Awards for Safe Performance Implementing Guidance

A-1. Policy. It is the policy of the Corps of Engineers to recognize subordinate commands, laboratories, field operating activities, and organizations that have demonstrated excellence in the management of safety and occupational health programs and excellence in team member performance toward meeting program goals.

A-2. Procedures.

a. The following are procedures for nominating and selecting Major Subordinate Commands (MSC), Laboratories, field operating activities (FOA), Districts, and organizations to receive the Chief of Engineers Awards for Safe Performance. These groups will be eligible for awards as indicated below:

(1) Chief of Engineers Safety Award of Excellence

(2) Chief of Engineers Safety Award of Honor

(3) USACE "Special Recognition" award

b. Nomination Procedures. All nomination packages must be received by the HQUSACE Safety and Occupational Health Office (CESO) not later than 15 February, following the end of the fiscal year in which the award is sought. Each nomination package will include a one paragraph citation relating to the specific reasons for the award that can be used during an award ceremony and for the use of the Public Affairs office in publicizing the award.

(1) MSC, Centers, Laboratories and FOA wishing to be considered for either the Chief of Engineers Safety Award of Excellence or the Chief of Engineers Safety Award of Honor will submit a nomination package with definitive supporting documentation. Centers, Laboratories and FOA wishing to nominate contractors for the Chief of Engineers Safety Contractor of the Year will submit the nomination package with similar documentation. Nomination packages shall be submitted to CESO under the signature of the MSC, Center, Laboratory or FOA Commander/ Director.

(2) Districts wishing to be considered for either the Chief of Engineers Safety Award of Excellence or the Chief of Engineers Safety Award of Honor will submit the nomination package with Commander's concurrence and definitive supporting documentation so that they are received by the supporting MSC by 01 January. The MSC will evaluate these District nominations from their Division and forward the single best nominee for each award submitted with the MSC Commander's concurrence to HQUSACE Safety and Occupational Health Office (CECO) by the date above.

(3) All USACE organizations wishing to nominate themselves or subordinate organizations for the USACE Special Recognition award will submit the nomination package, with definitive supporting documentation and Commander/ Director's concurrence, to CESO by the date above.

c. Verification Procedures. HQUSACE CESO staff will verify the definitive supporting documentation on a fiscal year basis for awards and recommend recipients to the Chief of Engineers for approval. The award will be presented to the receiving organizations or individuals as soon as possible after the end of the fiscal year for which the award is given.

A-3. Nomination Criteria. Chief of Engineers Safety Award of Excellence or Honor nomination packages will be based on any or all of the following criteria:

a. Safety and Occupational Health Management Evaluation, including the following:

(1) Documented strategic goals, implementation and business plans.

(2) Completed annual safety program assessment.

b. Achieved compliance with the Safety Management Action Plan (SMAP).

c. Number of Government team member fatalities.

d. Number of contractor fatalities.

e. Number of recordable property damage accidents.

f. Civilian lost time injury/illness rate.

g. Contractor lost time injury/illness rate.

h. Safety and Occupational Health Program unique or new initiatives which add value to an overall improvement for the USACE safety program.

i. Improvement in occupational safety and health for government employees, customers, or the public including environment and living and working conditions. This can include professional outreach activities, such as writing professional journal articles or speaking at professional conferences, and community outreach programs.

j. Demonstrated commitment to continuous improvement in professional or personal development that benefits the USACE safety and occupational health program.

k. Demonstrated safety leadership, and management by nominated organization in support of subordinate offices and organizations.

A-4. Award Disqualification.

a. Any MSC, laboratory, FOA, or District that experiences a Government employee fatality within their Command during the award nomination time period are automatically disqualified for a Chief of Engineers Safety Award of Excellence or Honor.

b. Any laboratory, FOA, or District that experiences a Contractor employee fatality within their Command during the award nomination time period are automatically disqualified for a Chief of Engineers Safety Award of Excellence, but may nominate themselves for an award of Honor.

c. Any MSC that has subordinates Districts that experiences Contractor employee fatality within their Command during the award nomination time period may nominate themselves for a Chief of Engineers Safety Award of Excellence or Honor, but will be considered less qualified than any nominating MSC without such a fatality.

APPENDIX B

Guidance on Contractor Awards/Recognition

B-1. In accordance with available HQUSACE Office of Counsel opinion and DoD guidance, there will be no contractor safety award program at Headquarters level. These same sources limit recognition at all command levels; the following is provided in order for USACE Commanders/ Directors to develop appropriate local policies.

B-2. Main points of HQUSACE Office of Counsel Opinion Memorandum, 23 April 02, Subject: Awards to Contractors

a. Based on DoD Awards guidance, HQUSACE discontinued USACE Contractor of the Year Awards.

b. Awards to contractors, if given, can be only a letter or certificate given to the individual, the individual's employer, or both.

c. For any awards to be given to entities with a profit-making relationship to the government (contractors), the contribution must be *substantially* beyond the terms of the contract or is *in the public interest*.

B-3. As received from the DoD Awards Program Manager:

Detailed GUIDANCE ON AWARDS TO CONTRACTORS

GENERAL:

• The DoD policy on awards to contractors is long standing and is found in Section 0 of DoD 1400.25-M, Subchapter 451, "Awards." While the section is not detailed or explicit in its guidance, the following is the spirit and the intent of the section.

• The policy on awards or recognition of contractor efforts is based upon the Department's goal to avoid both the appearance and actual act of favoritism as well as the appearance or actual act of a conflict of interest. This policy was enacted to ensure that Department maintains impartiality in order to not give one contractor an unfair competitive advantage over another. It also ensures that our employees, both military and civilian, do not take advantage of their government positions to better their future employment opportunities (for themselves or others) with a particular contractor doing business with the government.

• Contractors are not employees of the government and are not to be treated as such.

• The prohibition on awards to contractors means that awards <u>may not</u> be created to recognize contractor efforts nor may contractors participate in the Department's award

programs created for our military or civilian personnel. As ceremonies and receptions are part of the "presentation" process of the Department's awards to its employees, the prohibition extends to these as well, i.e., contractors may not participate in ceremonies or attend receptions.

• While Section O prohibits awards to individuals or entities in a profit-making or commercial relationship with the Department, it provides one caveat – contractor contributions may be acknowledged ONLY if the contribution is "substantially" beyond the terms of the contract or is in the public interest.

• While Section "O" does not specifically state it, DoD has determined that the ONLY acceptable form of acknowledgement is a letter to the individual or to the individual's employer.

SPECIFIC:

• Public Service Awards. Section "O" permits recognition to private citizens or organizations in acknowledgement of acts of good will or for contributions that are in the public interest. These private citizens do not have a commercial or profit-making relationship with the Department. Contributions that may merit these awards are based upon gestures of good will or benefit the Department in terms of good will. All the Department's Components have honorary awards to recognize contributions by these types of individuals. Examples of the type of contribution: Mr. Zachary Fisher, who as a private citizen, established scholarships for each of the children whose fathers were killed in the bombing of the Marine Corps Barracks in Saudi Arabia. He also - at his own expense - created the Fisher Houses for military families whose members are undergoing medical treatment away from home. These are similar to Ronald McDonald Houses. Additionally, another example - Mr. Steven Spielberg was recently awarded the DoD Distinguished Public Service Award for his film, "Saving Private Ryan," which depicted' the heroism of a military member. Contractors are not eligible for these awards because of their commercial and profit-making relationship with the DoD. Neither Mr. Fisher nor Mr. Spielberg received any money from the Department of Defense in anticipation or in connection with their contributions.

• Informal Presentations: We are aware that Components frequently have a mixed workforce in which there will be employees and contractor personnel working on a team project. If the team's efforts result in an extraordinary outcome that would merit recognition, the government employee may receive a cash award, a certificate or a plaque. However, the contractor may be issued only a letter. If the team is primarily made up of government employees and the presentation is to be informal, e.g., on the shop floor, and there is to be no reception or food service, the shop foreman or project leader may present the certificates and the letters at the same time. However; we caution this applies to informal settings only, e.g., no expenditure of appropriated funds on photos or receptions.

• Definition of Substantial: DoD believes that those who have first-hand knowledge of the contract's requirements are in the best position to determine if the contractor's efforts meet the "substantially beyond ... " test. However, we advise that contractors/arc not to be routinely recognized for fulfilling contract requirements and caution that acknowledgements of "substantial" efforts be judiciously used.

• " ... in the public interest." Most contracts call for the accomplishment of "deliverables," e.g., a report, a ship, aircraft, a study. Occasionally, a contract will have a deliverable of a less tangible nature but one that is clearly in the "public interest." An example of this may be a service contract calling for "technical support," the outcome of which results in an extraordinary contribution by the contractor to a team effort.

• Letter: The form of recognition or acknowledgement for "substantial" contractor efforts may only be in the form of a letter either to the individual or to the individual's employer or both. We recommend that the team leader or the employee who has firsthand knowledge of the contractor's contribution sign the letter in accordance with local authority.