

# THE STRATEGIC EFFECT OF ARMY CIVILIAN WORKPLACE INJURIES AND ILLNESSES

BY

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USAWC CLASS OF 2008

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| <b>REPORT DOCUMENTATION PAGE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                                    |                                                    | <i>Form Approved</i><br><i>OMB No. 0704-0188</i> |                                                                  |
| Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. <b>PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                                    |                                                    |                                                  |                                                                  |
| <b>1. REPORT DATE (DD-MM-YYYY)</b><br>06-05-2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    | <b>2. REPORT TYPE</b><br>Civilian Research Project |                                                    | <b>3. DATES COVERED (From - To)</b>              |                                                                  |
| <b>4. TITLE AND SUBTITLE</b><br><br>The Strategic Effect of Army Civilian Workplace Injuries and Illnesses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                                    |                                                    | <b>5a. CONTRACT NUMBER</b>                       |                                                                  |
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| <b>6. AUTHOR(S)</b><br><br>COL Richard J. Koucheravy, USA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                                    |                                                    | <b>5d. PROJECT NUMBER</b>                        |                                                                  |
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| <b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b><br><br>U.S. Army War College<br>122 Forbes Ave.<br>Carlisle, PA 17013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                                    |                                                    | <b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>  |                                                                  |
| <b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b><br><br>Joint Center for Political and Economic Studies<br>1090 Vermont Ave NW<br>Suite 1100<br>Washington, DC 20005                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                                    |                                                    | <b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>          |                                                                  |
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| <b>12. DISTRIBUTION / AVAILABILITY STATEMENT</b><br><b>DISTRIBUTION A: UNLIMITED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                                    |                                                    |                                                  |                                                                  |
| <b>13. SUPPLEMENTARY NOTES</b><br>The views of the academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                                    |                                                    |                                                  |                                                                  |
| <b>14. ABSTRACT</b><br>This study seeks to determine the strategic effect on the Army of occupational injuries and illnesses to Army Civilians. Army Civilians number more than 250,000 and they are critical to the Army. Workplace injuries and illnesses degrade the Army's strategic stance in both measurable and subjective ways, costing the Army almost \$200 million annually, degrading productivity, disrupting services, and reducing quality of life.<br>Lately, the Army has improved safety and embedded a more effective safety culture, but the Army has not improved its program for reducing civilian accident costs or returning injured workers to the workplace. Some programs have proven to be effective, but are not being leveraged by commanders, many of whom resist accepting previously injured workers back into the force. To add to this problem, the reporting of Army civilian accidents is poor at best, resulting in a lack of centralized accident data and an inability to determine if the Army is providing equal treatment to workers with regards to the resolution of accident cases, the awarding of associated benefits and the process of returning injured workers to their jobs.<br>This study recommends that the Army takes steps to reduce the negative effects of accidents, such as: fielding of a central, standardized civilian accident reporting system; better enforcing the Army's own requirement to report civilian accidents; improving the Army's infrastructure for compensation programs; and instituting management metrics and an associated management program to force commanders to justify their performance in these areas. |                                    |                                                    |                                                    |                                                  |                                                                  |
| <b>15. SUBJECT TERMS</b><br>Worker's compensation, safety, strategy, budget, personnel, installations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                                    |                                                    |                                                  |                                                                  |
| <b>16. SECURITY CLASSIFICATION OF:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                                    | <b>17. LIMITATION OF ABSTRACT</b><br><br>UNLIMITED | <b>18. NUMBER OF PAGES</b><br><br>46             | <b>19a. NAME OF RESPONSIBLE PERSON</b><br>Richard Koucheravy     |
| <b>a. REPORT</b><br>UNCLASSIFIED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>b. ABSTRACT</b><br>UNCLASSIFIED | <b>c. THIS PAGE</b><br>UNCLASSIFIED                |                                                    |                                                  | <b>19b. TELEPHONE NUMBER (include area code)</b><br>202-789-6363 |



USAWC CIVILIAN RESEARCH PROJECT

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ILLNESSES**

by

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*Disclaimer*

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## **ABSTRACT**

AUTHOR: Colonel Richard J. Koucheravy

TITLE: The Strategic Effect of Army Civilian Workplace Injuries and Illnesses

FORMAT: Civilian Research Project

DATE: 2 June 2008      WORD COUNT: 11,173      PAGES: 46

KEY TERMS: workers' compensation, safety, strategy, budget, personnel, installations

CLASSIFICATION: Unclassified

This study seeks to determine the strategic effect on the Army of occupational injuries and illnesses to Army Civilians. Army Civilians number more than 250,000 and they are critical to the Army. Workplace injuries and illnesses degrade the Army's strategic stance in both measurable and subjective ways, costing the Army almost \$200 million annually, degrading productivity, disrupting services, and reducing quality of life.

Lately, the Army has improved safety and embedded a more effective safety culture, but the Army has not improved its program for reducing civilian accident costs or returning injured workers to the workplace. Some programs have proven to be effective, but are not being leveraged by commanders, many of whom resist accepting previously injured workers back into the force. To add to this problem, the reporting of Army civilian accidents is poor at best, resulting in a lack of centralized accident data and an inability to determine if the Army is providing equal treatment to workers with regards to the resolution of accident cases, the awarding of associated benefits and the process of returning injured workers to their jobs.

This study recommends that the Army takes steps to reduce the negative effects of accidents, such as: fielding of a central, standardized civilian accident reporting system; better enforcing the Army's own requirement to report civilian accidents; improving the Army's infrastructure for compensation programs; and instituting management metrics and an associated management program to force commanders to justify their performance in these areas.



## EXECUTIVE SUMMARY

Civilian workers are a significant part of Army. They represent about 1/4<sup>th</sup> of the active force and serve in mostly technical and skilled jobs; as such, they are critical to the Army's daily operations. Workplace injuries and illnesses suffered by Civilians degrade the Army's effectiveness. This degradation is especially harmful given that our Nation is at war. Accidents, injuries, illnesses and equipment losses disrupt services, reduce quality of life, generate negative publicity, degrade morale and lead to a loss of confidence in Army leadership. Aside from degrading the Army's daily operations, one significant, measurable effect of workplace accidents is represented by the cost of accidents (about \$10 million per year) and the cost of workers' compensation and wage replacement (about \$175 million per year).

The Army has reduced accidents of late and improved its 'safety culture,' but the Army has not improved its handling of workers' compensation. Workers have fair access to workers' compensation, but the Army has largely failed at returning injured workers to the workplace, many of whom may be capable of work. There are programs available to do so, such as DoD's *Pipeline Program*, but the Army is not taking full advantage of these programs. Workers' compensation is open to waste and abuse.

There is the lack of workable infrastructure in-place throughout the Army to deal with reducing the rolls of the long-term disabled. Injury Compensation Program Administrators (ICPAs) are overworked and their offices are understaffed, mostly due to a lack of Army level oversight and/or standardization of worker's compensation. Commanders are reluctant to take injured workers back into the force and tend to accept compensation 'charge-back' as an acceptable cost of doing the Government's

business. Since there is no effective mechanism to force commanders to do so, there will likely be little reduction in the number of workers receiving wage replacement.

Another problematic facet of civilian injuries is poor accident reporting. The Army reports injuries and accidents to the Occupational Safety and Health Administration (OSHA) but does not routinely report those accidents centrally to the Army to enable accident prevention and the mitigation of effects. The US Army Combat Readiness/Safety Center (USACRC) has been trying for years to implement a standard, automated and web-based accident reporting system, *Report-It*, which should satisfy both OSHA and Army Safety record-keeping purposes, but *Report-It* remains in development. Army commands use separate and widely different accident reporting systems and send only summary accident data to the Department of Defense (DoD) and to the Army, resulting in a lack of a central repository of civilian accident information. It is unknown what conditions exist across the Army that might be affected by more complete and accurate civilian accident reporting.

The Army should take immediate action to address civilian accident rates and to reduce their effects, in order to improve readiness, increase the effectiveness of Army civilians, reduce costs, and better inform the Army on the conditions that surround civilian accidents. These actions should include the following:

1. The Army must accelerate the development of fielding of *Report-It* as the sole civilian accident reporting system, in order to better meet both OSHA and Army safety reporting and record keeping requirements and build a central accident database.

2. The Army must make a greater effort at enforcing its own requirement within Army Regulation (AR) 385-10 to report civilian accidents to the Army. Reporting only summary accident data is unacceptable.
3. The Army must improve its infrastructure to deal with the effects of workers compensation and must more fully take advantage of *Pipeline*, in order to get injured workers back into the workplace. To accomplish this the Army must better man ICPA to include, at a minimum an ICPA chief; one or more case reviewers/case handlers with a medical background; one or more investigators or investigation coordinators with a law enforcement background to deal with cases where abuse or fraud is suspected; and administrative personnel as necessary to handle case work-loads.
4. The Army should develop better metrics for compensations payments (FECA charge-back) and return-to-work rates and then force commanders to justify yearly their performance in these areas. Such requirements should be placed, as appropriate, within Army personnel regulations and guidance, rather than within Safety-related regulations and guidance.



## THE STRATEGIC EFFECT OF ARMY CIVILIAN WORKPLACE INJURIES AND ILLNESSES

### **Background**

It is difficult to overestimate the importance of civilian employees to the United States Army. Army civilians perform a myriad of tasks – usually in technical or skilled fields – and their work is vital to the success of the US Army in fulfilling its role: to fight and win the nation's wars<sup>1</sup>. Generally, but not completely restricted to noncombatant roles, Army civilian employees (henceforth to be referred to simply as 'civilians,' unless otherwise indicated) can be found working across the breadth and throughout the depth of the Army at all levels of war – strategic, operational and tactical. Whether working in Army depots, performing staff work side-by-side with military counterparts in the Pentagon or deployed forward to operating bases in Iraq, civilians are an integral part of the United States Army.

Now more than ever, the distinction between the role of Soldiers and that of civilians is ambiguous and that ambiguity has increased since the US went to war in Afghanistan in 2001, resulting in political and economic circumstances that have driven the Army to rely more on civilians to perform some tasks that were traditionally the sole purview of Soldiers. Additionally, in the past few years Army leadership – restricted by law from expanding the ranks of Soldiers, except in small numbers – shifted numerous Soldiers from non-tactical jobs, especially in the continental United States, to positions in tactical Army units for combat duties. One effect of that manpower shift has been to increase the number of civilian positions in non-tactical Army organizations. At the same time, most tactical units have been augmented by civilians to provide critical direct support on or near the battlefield, especially for many technical or logistical functions.

As the Secretary of the Army and the Army Chief of Staff stated together when they established the “Army Civilian Corps” in 2006:

Army civilians serve in all theaters and are deployed worldwide supporting the Army mission and the Global War on Terrorism. As the Army's missions have evolved and become more complex, so have the roles of Army civilians... The Army Civilian Corps title befits the people that comprise a key capability of our Army's force structure. <sup>2</sup>

The ever-increasingly important role played by civilians in the Army is sometimes underappreciated by even the most senior Army leaders. Understandably, uniformed leaders are more familiar with and more at ease with leading Soldiers. It is only when uniformed Army leaders attain senior rank – for example, at the colonel or, more likely at the general officer level – that they have the opportunity to lead organizations with a significant number of civilians. It is vital to the Army that those leaders understand more fully the impact that their policies, actions and decisions have on civilians, and thus on the Army at large. One area that demands greater attention from Army leaders is the effect that civilian workplace accidents and illnesses have upon the effectiveness of their organizations and the US Army as a whole, and hence upon the ability of the US Army to fulfill its mission.

According to the Army's Human Resources Command (HRC), workers' compensation payments cost the Army more than \$174 million per year during each of the past four full years. Since 1994 the Army has spent more than \$2 billion on workers' compensation and today has about 21,000 workers' compensation cases on the books. Historically only about 3% of the long-term cases are successfully returned to the

workforce; in the remainder of the long-term cases, many workers draw compensation pay almost indefinitely, though many are capable of work<sup>3</sup>. In terms of lost productivity to Army organizations, the Army lost more than 75,000 days of manpower in each of the past four years, a number equal to more than 31 lost days per 100 employees<sup>4</sup>. Such waste of resources and disruption to the Army from workplace accidents and injuries is unacceptable, especially as military budgets threaten to become smaller in the near future.

### **Organization of Paper**

This paper will examine the Army civilian workforce, analyze workplace injuries and illnesses sustained by civilians and determine the strategic affect that those injuries and work-related illnesses have upon the US Army. This paper will look at actions that senior Army leaders can take to reduce the incidence of such injuries or illnesses and, more importantly, to reduce the negative affect that workplace injuries and illnesses have upon the Army. This paper will then determine whether any programs currently in use are having a positive effect at reducing injury/illness rates or ameliorating the effect of workplace accidents and illnesses on Army organizations. Lastly, this paper will explore whether the Army should adopt other means to reduce accident/illness rates to deal better with injury cases to reduce increase the Army's effectiveness.

Additionally, it was the intent of the author to review accidents and workplace illnesses to determine whether there exists any racial disparity regarding civilian injuries, unemployment compensation, disability determinations or "return to work" rates. No such determination can be made and so such comparisons will not be possible, largely due to the way that Amy accidents are reported and how and where such data is

collected and maintained. Therefore, this study also will briefly review the Army's system for reporting and maintaining accident and compensation data, in order to determine whether changes to accident reporting might be beneficial to the Army.

### **Understanding the Army Civilian Workforce: size, make-up and salary cost**

Many Soldiers, and even senior leaders, fail to appreciate the size and diversity (in terms of job skills) of the Army civilian workforce. As of October 31<sup>st</sup>, 2007 the Army's active duty uniformed personnel end strength was 522,388 Soldiers<sup>5</sup>, while the Army's civilian ranks numbered slightly more than 245,000 people<sup>6</sup>, almost half again the size of the uniformed active Army. Even talking into account the size of the Army reserve (192,000 Soldiers)<sup>7</sup>, the Army Civilian Corps still constitutes more than a quarter of the Army's total active manpower. This large civilian workforce makes the Army the Department of Defense's (DoD') largest single civilian employer.<sup>8</sup> Were the United States Army a private company, its civilian workforce alone would make the Army the 29<sup>th</sup> largest employer in the world and the 12<sup>th</sup> largest in America, just after *Kroger* and ahead of *Home Depot*.<sup>9</sup>

Adding additional complexity to the task of understanding the civilian workforce is the wide variety of jobs that civilians perform within the Army. If it can be said that the scope of Soldiers' military occupational specialties (MOS) is wide, the scope of jobs performed by civilians is equally wide. Army Officers work within one of either 12 branches or 16 functional areas; Army warrant officers work within one of 73 mostly technical MOSSs, grouped within 20 branches of similar skills; and Soldiers are trained to work in one of approximately 214 MOSSs, clustered in 45 career fields. All of these Soldier jobs are specified in 'job descriptions' that are standardized across the Army<sup>10</sup>.

Civilians, however, are classified into one of 22 “career programs” containing more than 150 total “occupational series,” many of which span most wage grade levels and which therefore possess widely diverging job requirements within the same occupational series, depending upon such factors as supervision of other employees, the physical makeup of the workplace or the mission being performed by the local command<sup>11</sup>. Each job is then described – in detail – within individual written job descriptions that are customized by local commanders or supervisors and therefore tightly crafted to the conditions for *that* particular worker in *that* specific job. In short, nearly every civilian job is unique and so requires local commanders and supervisors to have working knowledge of that specific worker in order to provide effective management and leadership.

This Army civilian workforce of almost one quarter million workers is engaged in almost every imaginable type of work. Such work spans, among many other areas, the administrative, operational, technical, medical, informational and logistical fields. However, Army civilians predominate in ‘white-collar’ type jobs, with only slightly more than 15% of civilian jobs in the blue-collar occupations.

With less than 36,000 Army blue-collar civilians, it may logically follow that most civilian workers in the Army (more than 200,000) are exposed to very little high-risk work, few hazardous materials, and few tasks that require heavy lifting or exposure to machinery<sup>12</sup>. While generally true, such characterization of the accident risk exposure of civilians in white-collar jobs may be misleading. Although three quarters of Army employees are exposed mostly to an office or administrative-type environment with relatively little exposure to very high risk work, we will see later when we examine the type of injuries sustained by civilians why type of work performed may be incidental to

accident rates. The following chart shows the various types of work performed by Army Civilians.

|                              |                          |         |
|------------------------------|--------------------------|---------|
| <b>Appropriated fund</b>     | <b>White-collar BU</b>   | 97,626  |
|                              | <b>White-collar N-BU</b> | 85,937  |
|                              | <b>Blue-collar BU</b>    | 30,818  |
|                              | <b>Blue-collar N-BU</b>  | 4,445   |
| <b>Non-appropriated fund</b> |                          | 30,818  |
| <b>Total</b>                 |                          | 249,644 |

Local National (not included)<sup>13</sup> 25,713

BU= Bargaining Unit

N-BU= Non Bargaining Unit

Chart 1. Army civilian workforce.

Equally important to *what* civilians are doing is *where* they are working. In short, civilians are working in every place that Soldiers are serving: the United States, Europe, Korea and elsewhere. A small, but significant population, numbering 3,591 civilians, is deployed in support of the War on Terror, with 695 in the Afghanistan area of operations and 2,896 in the Iraq area of operations (e.g., deployed directly in support of Operation Enduring Freedom: OEF or Operation Iraqi Freedom: OIF). Nearly all of those civilians are in Afghanistan (640) or Iraq (1,927) proper. Additionally, although not included in the total number of Army civilians, there are more than 35,000 contractors in the United States Central Command area of operations performing work in direct support of OEF or OEF<sup>14</sup>. In addition to the civilians deployed in support of the War, there are approximately 14,500 other Army civilians working outside of the United States and its territories, bringing the number of civilians working outside of the US to 18,008.<sup>15</sup>

In order to maintain this civilian workforce the Army pays an estimated monthly payroll of about \$681 million<sup>16</sup>. Those salaries cost just under \$8.2 billion per annum and represent more than 6% of the Army's Fiscal Year (FY) 2008 enacted budget.<sup>17</sup>

## **Where Army Civilians Fit into Strategy and Defense Guidance**

There is scant direct mention of civilians or their importance to strategy in the United States National Security Strategy, National Military Strategy and National Defense Strategy. That is to be expected, as these documents serve as overarching statements of our Nation's strategic interests and direction; one must infer how the civilian workforce fits into the realm of strategically important components of the force. Each of these keystone documents, however, does provide crucial insight into our national interests and the means for ensuring our national survival, some of which can easily be connected to the importance of maintaining a healthy and effective civil service. A review of these documents, as well as a review of the Army's Human Resources Strategic Plan, provides some context to the importance of Army civilians to the overall effectiveness of our Army. More directly, implementation of the National Security Personnel System (NSPS) provides some evidence of the strategic importance of civilians to the US Army.

America's current National Security Strategy provides for nine essential security tasks, the eighth of which is to "transform America's national security institutions to meet the challenges and opportunities of the 21<sup>st</sup> century." Within that transformation task is the need to "[sustain] the transformation already underway in the Department of Defense..."<sup>18</sup> The National Defense Strategy also stresses, in Implementation Guidelines, the importance of Transformation, to "...adapt how we conduct business."<sup>19</sup> Such transformation, the Defense Strategy goes on to explain, includes changing business practices, a goal that relies heavily, within the Army, upon the Army Civilian

Corps. Lastly, the National Military Strategy states that a “Joint Force for mission success”<sup>20</sup> includes a “highly qualified ... DoD civilian and contracted workforce.”<sup>21</sup>

*The US Army FY04-11 Civilian Human Resources Strategic Plan* also provides evidence concerning how much importance Army leadership places upon civilians and provides guidance concerning why *Transformation* and specifically implementation of NSPS to achieve the changes envisioned by *Transformation* are vital to the Army’s success. This HR plan states that “... [t]he accelerating worldwide and homeland national security responsibilities demand an agile system for managing the civil servants who support war fighters.”<sup>22</sup> Thus, Army leadership views the Civilian Corps as a necessary support structure for the warfighters and therefore something that provides strategic support to the Army. This plan goes on to link Army civilians to the Army mission, the Army Vision and Army values.<sup>23</sup>

On April 28, 2006, Deputy Defense Secretary Gordon England signed a memorandum that effectively implemented parts of the National Security Personnel System, with an effective date of April 30, 2006.<sup>24</sup> The NSPS is a human resource management system that changes how the Department of Defense manages “...all aspects of the human resource process including staffing and workforce shaping, classification, compensation, and performance management. It will also provide for a new labor relations system and employee appeals process.”<sup>25</sup> However, for the purposes of this study, NSPS documents offer no evidence of any practical difference in the way that civilians who suffer workplace injuries and illnesses are treated or workers’ compensation would be handled. NSPS implementation documents do, however, offer further insight into how senior Defense Department Officials view DoD’s civilian

workforce. Most importantly the Army seeks to gain two objectives from conversion to NSPS, both of which demonstrate that the Army views NSPS implementation as critical because of the strategic importance of the civilian workforce:

- NSPS accelerates the Department's efforts to create a Total Force (military, civilian personnel, Reserve, Guard, and contractors), operating as one cohesive unit, with each performing the work most suitable to their skills.
- [NSPS] ... appropriately recognizes and rewards our employees' performance and the contributions they make to the Department of Defense (DoD) mission.<sup>26</sup>

### **Defining the Problem: Civilian Workplace Accidents & Injuries**

Army leaders deal with accident prevention and mitigation differently for Soldiers than they do for civilians, forced by regulation and law to use different metrics and different measures to mitigate effects from those accidents and illnesses. And because Army leaders are more accustomed to dealing with the former than the latter, they can be challenged sometimes when assuming leadership over formations with large numbers of civilians and facing these two disparate systems for “measuring” safety and for managing programs to mitigate effects.

In practical terms, commanders have lawful control over Soldiers throughout the day, regardless of whether or not Soldiers are “on duty,” while their control over civilians is much more limited and is restricted to the workplace and (sometimes) to parts of their “commute” to and from the workplace. Leaders therefore focus accident prevention and mitigation efforts toward Soldiers in terms of both workplace accidents (both training and operational activities) and off-duty activities (commuting and recreation, for

example) while focusing on civilian accidents almost entirely within the realm of workplace hazards.

To further complicate the issue, commanders pay no “penalty” for workplace accidents involving Soldiers, meaning that commanders enjoy greater flexibility with managing Soldiers, easily flexing Soldier manpower to fill gaps without regard to specified job descriptions, union grievances, unemployment compensation, overtime pay or additional workloads shifted to coworkers. And while many Soldiers in support roles perform ‘civilian-type’ support duties, the majority of Soldiers’ ‘work’ involves training for eventual combat duties. Such training, interrupted by injuries and recovery, can be completed upon recovery or ‘made-up.” Army civilians, on the other hand, are provided more tightly crafted duty descriptions and areas of responsibility. A worker who is injured and therefore absent from the workplace must be replaced in some way, either by paying someone else overtime pay, allowing their work to go undone, contracting out that work or suffering degradation in workplace effectiveness or efficiency.

The result of these differences in leading Soldiers and civilians is that commanders focus accident prevention and consequence management on the part of Soldiers primarily first toward off-duty accidents (the biggest killer) and secondarily toward high-risk training (the second biggest killer), while concerning themselves with civilian accidents only insofar as they affect the workplace (restricted to duty-related occupational hazards or “OSHA-type” concerns). One example of the difference between managing Soldier and civilian accidents can be found in the metric with which the Army measures accidents: soldier accidents are measured primarily by injury rates

(number of Soldiers injured or killed per 100,000) while civilian injuries are measured by both injury rates and, more importantly, lost man-hours, days lost and dollars worth of Federal Employment Compensation Act (FECA) claims<sup>27</sup>.

### **Civilian Workplace Accidents & Illnesses in Detail: Cost and Effect**

Before proceeding further it is important to differentiate the matter of workplace injuries and illnesses from the accidents or incidents which *cause* those injuries and illnesses. This is important because of the way in which the Department of Defense manages or tracks accidents or incidents versus the injuries or illnesses that result from them. In short, while it is mandatory for Army commands to report every accident or incident resulting in an injury or illness, not all commands do so, or at least not all commands do so in a consistent and proper manner. There are many reasons for this situation. Nonetheless, as a result of poor accident reporting, accident data compiled at the Army level is woefully incomplete and unreliable for the purposes of researching civilian accident data at the Army level. However, injury or workplace illness data compiled from corresponding FECA claims is much more complete and accurate than that data compiled from accident reports, mainly because resolution of such claims hinges on an accurate report of a corresponding accident or illness in the FECA claim. Therefore, for the purposes of this report we will review data compiled from FECA claims, rather than review accident reports proper. We will discuss this “reporting problem” later in the report.

The below chart shows the scope and detail of Army civilian accidents, injuries and workplace illnesses for the past four full fiscal years<sup>28</sup>:

| Army Civilian Occupational Injuries and Illnesses<br>by Fiscal Year<br>FY 04-07 (FY = Oct-Sep) |         |         |         |               |
|------------------------------------------------------------------------------------------------|---------|---------|---------|---------------|
|                                                                                                | FY 2004 | FY 2005 | FY 2006 | FY 2007       |
| Employees                                                                                      | 225,775 | 233,179 | 239,918 | 239,261       |
| Injuries                                                                                       | 9,522   | 9,581   | 9,214   | 9,167         |
| Total Case Rate*                                                                               | 4.22    | 4.11    | 3.84    | 3.83          |
| Private Industry Injury Rate                                                                   | 4.8     | 4.6     | 4.4     | not yet avail |
| Days Lost                                                                                      | 83,085  | 83,012  | 81,572  | 75,846        |
| Rate**                                                                                         | 36.8    | 35.6    | 34.0    | 31.7          |
| Private Industry Days Lost Rate                                                                | 50.3    |         |         |               |
| * - injuries per 200,000 man-hours, or 100 employees                                           |         |         |         |               |
| ** - lost days per 200,000 man-hours, or 100 employees                                         |         |         |         |               |

Chart 2. Army civilian occupational injuries and illnesses.

A review of the data in the above chart allows for two quick conclusions. First, the US Army rate of injury cases and the rate of cases in which employees suffered 'work days lost' are below that of private industry. Second, each of these aforementioned rates has experienced a significant decrease over the past four years. Both of these conclusions seem encouraging and might infer that Army civilians are, relative to industrial workers at large, free from workplace accidents and illnesses, but we should view both conclusions with caution.

Notably, the Army's civilian workforce is overwhelmingly white-collar (approximately 85% of Appropriated Fund employees)<sup>29</sup>, while the breakout of the US private industry is more evenly split between blue and white-collar occupations (for example, as of 2006 the US workforce was approximately 57% white-collar and 43% blue-collar<sup>30</sup>). Therefore, it might be reasonable to postulate that the Army's mainly white-collar workforce would routinely experience less exposure to a significant amount or degree of workplace hazards than would a more densely blue-collar force and therefore suffer a significantly lower rate of workplace injuries and illnesses. Using the US private industry days lost rate of 50.3 and its 43/57 split of blue-collar to white-collar, if days lost were statistically accounted for solely by a workforce's exposure to "blue-

collar hazards,” then the Army’s mainly white-collar civilian workforce would expect a rate closer to 12, as opposed to the rate of 30.7<sup>31</sup>. While it is apparent that there are many more factors involved in such a comparison, this example is used simply to demonstrate that what may appear to be good news may be camouflaging more serious problems.

A second, and arguably *the* most important objective measure of the strategic impact on the Army of civilian injuries is the budgetary cost incurred as a result of those injuries. These costs are divided into two categories: the immediate costs incurred by the Army as a result of the injury and subsequent payments for ongoing medical care and payments made directly to the injured worker through both workers’ compensation and scheduled awards (award payments that the worker would reasonably have been paid had the worker remained at work). The latter costs are incurred until the worker recovers and returns to the original position, is offered a job that is compatible with the worker’s subsequent physical condition, takes another job (demonstrating that the injury does not prevent them from working) or dies. The below chart summarizes the fiscal impact of both forms of these costs incurred by the Army over the past four full years.<sup>32</sup>

| <b>Injury Costs by Chargeback Year</b><br><b>CB Year 04-07 (CB Year = Jul-Jun)</b> |             |             |             |             |
|------------------------------------------------------------------------------------|-------------|-------------|-------------|-------------|
| <b>Chargeback Year</b>                                                             | 2004        | 2005        | 2006        | 2007        |
| <b>Injuries</b>                                                                    | 9,317       | 9,503       | 9,418       | 9,230       |
| <b>Current Year Injury Cost (\$)*</b>                                              | 9,326,551   | 8,881,203   | 9,369,912   | 9,092,851   |
| <b>Total Costs (\$)**</b>                                                          | 177,250,299 | 174,659,985 | 180,248,334 | 178,993,223 |
| * - Costs for those injuries reported in that chargeback year                      |             |             |             |             |
| ** - Overall FECA costs for that chargeback year                                   |             |             |             |             |

Chart 3. Injury costs by year.

Given the size of the Civilian Corps (nearly ¼ million workers<sup>33</sup>) and the fact that this workforce suffers about 10,000 injury cases per year costing less than \$10 million, injury costs do not seem to be excessive. The cost of \$10 million on average for about

10,000 injuries equates to injury costs of about \$1,000 per case. Since some catastrophic injuries could result in single medical payments in excess of tens or even hundreds of thousands of dollars, it is reasonable to conclude that the vast majority of these injuries are minor in nature and require little, if any, significant medical treatment or rehabilitation. It is also reasonable to assume that the Army experiences very few catastrophic civilian injuries. What is remarkable about these figures is that in each of the four years in question the Army paid out nearly one fifth of one billion dollars in 'wage replacement' for workers who had not returned to work.

Significantly, each year's payments are for *all* injured workers who were paid wages in that "charge-back year," regardless of the year in which workers were injured. In other words, the majority of workers injured each year are returned to work in a relatively short time period (less than a year) and thus the Army incurs little cost from wage replacement costs for those workers. This conclusion is bolstered by two additional facts: that as of September 30<sup>th</sup>, 2007 the number of open FECA cases was 8,113<sup>34</sup>, meaning that at that time there were fewer open cases on that date than the Army experienced each of the previous four years, and that the number of "long-term cases" was 3,674<sup>35</sup>, indicating that the bulk of compensation claims are made to, on average, a small number of workers who are on the compensation rolls for a very long time.

In summary, of more than 37,000 workers injured over the past four years, nearly all of them were returned to work within that same period, with the remainder of the compensation cases being long-term, 'left over' cases from previous periods. Also, the Army incurred little costs from those 'long-term' injured workers in terms of direct injury

costs or ongoing medical payments, but instead has spent nearly all of its workers' compensation money on wage replacement, which may tend to support a conclusion that most workers on the rolls for lengthy periods seem to be drawing wage replacement only, with little or no need for medical care, physical therapy or other injury-related payments. These wage replacement costs of about \$175 million per year have totaled, as was stated in the introduction, more than \$2 billion since 1994. Placed in budgetary context, these yearly costs are nearly 1/8<sup>th</sup> of 1% of the Army's fiscal year 2008 budget. For example, it represents nearly 15% of the Army's budgeted FY08 amount for Army Family Housing (at \$1.2 billion).<sup>36</sup> Such cost, nearly all from a small number of long-term cases who may be capable of returning to work, is unacceptable.

Lost productivity in the civilian workforce, injury costs and wage replacement are only the objective, or quantifiable measures of the strategic impact of civilian injuries on the Army. There are other significant, but mostly subjective ways in which these injuries – and the accidents that cause them – affect the Army's ability to accomplish its mission. Among those effects are disruptions in the services provided by civilians, loss of confidence in Army leadership on the part of civilian workers, reduction in the quality of life of both Soldiers and civilians and negative publicity resulting from both the workplace incidents themselves and from the manner in which injured workers may be treated.

These effects are not necessarily unique to the Army, but are nonetheless exacerbated by the uniqueness of the Army mission and the role that civilians play. Coupled with a significant budgetary impact, such accidents and injuries serve to do more than lower morale and degrade quality of life: they degrade the Army's readiness.

While not measurable, reductions in readiness are amplified by the need to keep about one third of the Army actively engaged in combat, while relying more heavily on civilians than in times of relative 'peace.' The degradation in readiness resulting from civilian accidents has been, in the past few years, of grave concern to the Army leadership and can be best summarized by the Army Secretary and the Army Chief of Staff, who characterized the wage replacement costs as "...but one single measure that represents lost productivity in our industrial base, interruptions in services at our Army bases, reductions in our Soldiers', Department of the Army civilians', and family members' quality of life, and a degradation in the Army infrastructure."<sup>37</sup>

In order to determine whether the Army's injury and workplace illness rates, and the resultantly high cost of workers' compensation, may be unreasonably high or just the "cost of doing business," one must determine if law and policy informs commanders appropriately. One must also determine whether the infrastructure of the "safety system" empowers or enables commanders to meet such law and policy. Lastly, one must determine whether there exists within Army civilian personnel management a system to deal with injured workers, in order that they not draw replacement pay when they are physically and mentally competent to return to work.

### **Policies and Laws Governing Occupational Safety and Health**

The safety of civilian workers is affected by federal law, Defense Department policy and Army Regulations, all of which should provide Army leaders with requirements for preventing accidents and enable them to take appropriate steps after accidents occur. Unfortunately, law, policy and regulations can sometimes appear overwhelming in their complexity. Nonetheless, commanders must navigate their way

through this plethora of written requirements and detailed instruction in order to insure a safe workplace and to provide for workers who suffer injuries and illnesses.

At the federal level, the Army activities are subject to the *Occupational Safety & Health Act (OSHA) of 1970*. That Act and associated legislation requires...

...employers to comply with safety and health standards issued by OSHA, as well as with other regulations issued by OSHA. In addition, the Act includes a "general duty clause," which applies to hazards not addressed by any specific OSHA standard. The general duty clause requires employers to provide their employees with a workplace that is free from recognized hazards that are causing or likely to cause death or serious physical harm.<sup>38</sup>

While seemingly onerous, OSHA standards generally *are* met across the board in the Army; those standards become inculcated into the Army's day-to-day industrial operations, if not necessarily into *all* operations that involve civilians. Some Army operations that may seem to be relatively free of industrial hazards, for example office work and retail service work, require extra vigilance on the part of safety advisors and supervisors who may not be conversant with the risks associated with workplace hazards. Some seemingly benign environments or tasks may, in fact, be rife with hazards that could cause injuries resulting from slips, trips or falls on wet floor surfaces or lower back injuries from improperly lifted loads.

Department of Defense requirements concerning the safety of civilians are contained within a large number of regulations and written instructions, some of which are general in nature and some of which provide detailed instructions regarding very specific topics. However, Defense Department policy is elucidated primarily in two

written instructions: Department of Defense Instruction Number 6055.1, *DoD Safety and Occupational Health (SOH) Program*, and Department of Defense Instruction Number 4715.1E, *Environment, Safety, and Occupational Health (ESOH)*. Among many other functions, these two documents mandate the services to establish occupational safety and health programs, comply with related federal law – including OSHA and Department of Labor oversight of workers' compensation programs – and establish who is responsible to whom for what safety or compensation function within the Defense Department.<sup>39</sup>

These two referenced DOD instructions, while mandating that the services comply with OSHA, provide guidance concerning the applicability of federal law to some “military unique” functions and workplaces. In short, some OSHA standards do not apply to particularly uniquely military functions, such as field training exercises, military training and combat operations. However, for the most part Army operations involving civilians fall under the auspices of OSHA’s regular regulatory requirements, as well as the Department of Labor’s oversight of the workers’ compensation program, just as they do for non-military or commercial industry. These exceptions are not intended to allow Army operations to be “unsafe,” but rather are intended to permit military training and operations, which can be inherently high risk, to continue. It is important to note that while these functions may be exempt from some OSHA requirements, they *do* fall under the authority of other safety rules and regulations, many similar to the OSHA rules, which are more appropriate to the uniformed military operations.

The Army’s overarching regulatory guidance for civilian safety can be found in Army Regulation 385-10, *The Army Safety Program*. This regulation, revised from a

previous February 2000 version and published in 2007, provides for the establishment and management of safety programs for both military unique operations and for Army operations that are predominantly “civilian” in nature. The purpose of the regulation, as stated in the summary of the document contained on the Army Chief of Staff’s signature page of the regulation, is to implement “...requirements of the Occupational Safety and Health Act of 1970.”<sup>40</sup>

The re-write of Army Regulation 385-10 was the result of a multi-year effort, led by the Assistant Secretary of the Army for Installations and Environment and assisted by the United States Army Combat Readiness/Safety Center (USACRC). The change included the consolidation of numerous (though not all) safety-related publications, many of which were either redundant with AR 385-10 (the keystone safety publication), contradictory to the regulation, or in conflict with one another.<sup>41</sup> The rewrite also served to bring this regulation up to date with federal code and Defense Department policy. As a result, the safety community should be satisfied that the body of Army regulations is now more clear, unambiguous and relevant than it was just one year ago.

There is some evidence that around 2003 the Department of Defense began to sense an increase in accidents, within both the uniformed ranks and the civilian service. Perhaps attributable to an increase in the tempo of both combat operations in Iraq and Afghanistan and supporting operations in the United States, all services began to experience an increase in the number and severity of accidents. As a result, then-Secretary of Defense Donald Rumsfeld began issuing a series of memoranda and guidance to supplement defense policy. For example, the Secretary in 2003 set a goal of reducing accidents 50% in two years.<sup>42</sup> In response to these directives, the Secretary

of the Army and the Army Chief of Staff issues similar directives to promulgate the Defense Secretary's guidance in these communications.<sup>43</sup> These documents have served to clarify and explain, rather than countermand or confuse previous written guidance.

In summary, Army commanders have at their disposal unambiguous and complete instruction in body of federal law, Defense Department instructions and Army regulation on which to base safety and workers' compensation programs. This body of instruction is large and complex, but it is current and reflects the latest in federal law and best practices within the Department of Defense. And because Army commanders were afforded an opportunity to comment upon the draft of Army Regulation 385-10 for more than two years prior to publication<sup>44</sup>, it cannot be said that the requirements therein caught anyone unawares when the new regulation was issued.

However clear and unambiguous the instructions are, though, in order to follow those instructions commanders must be enabled to execute that which they've been empowered to do. To determine if they are so enabled, it is vital to look at the safety and worker's compensation 'infrastructure' that has been established to assist commanders. The Safety Program, in general terms and for regulatory purposes, is established by Army Regulation 385-10, which also provides that commanders be resourced to fulfill all of their safety responsibilities within the Army budget<sup>45</sup>. To augment this regulation the Army published (also in 2007) Department of the Army Pamphlet 385-10, which provides for the detailed establishment of that safety program, the structure of safety organizations (such as safety offices and advisory bodies), the management of a career field for safety 'professionals,' and the oversight and audit of

safety programs, among many other functions. The regulation and pamphlet combined provide 'one-stop shopping' for commanders to determine not only *what* to do to prevent accidents and mitigate their effects, but also *how* to do so in great detail.

Commanders are well-informed, well-resourced and well-instructed on the part of safety and accident prevention, but are they equally well-prepared to deal with injured workers, workers' compensation and programs for returning workers to the job and removing them from wage-replacement rolls? The evidence shows that while instruction and structure for safety programs are robust and largely effective, similar instruction and structure to enable commanders to deal effectively with managing the rolls of long-term injured workers and returning them to work are insufficient.

### **Handling Injured Workers' Cases and Returning Workers to the Workplace**

Work-related injuries and illnesses are handled first by the medical community and subsequently (for reporting) by the safety community. Once workers are injured, however, all aspects of that workers' journey through the workers' compensation program are handled by Army civilian personnel organizations. Primary responsibility for such work lies within the injured worker's servicing Civilian Personnel Action Center (CPAC), which generally serves workers on an Army installation basis (rather than by organization). Within the CPAC resides the Injury Compensation Program Administrator (ICPA), "who serves as the focal point in all aspects of the [Workers' Compensation] program, coordinating efforts of safety officials, occupational health officials, medical officials, supervisors and other management officials, and local labor representatives, as appropriate."<sup>46</sup>

It is important to note that ICPAs are generally only a 'one-person show,' meaning that the ICPA is normally an individual within the CPAC rather than a fully-staffed office. As such, the ICPA normally functions as subject-matter expert, administrator, and pseudo-investigator rolled into one person. This is not true for all ICPAs, but unlike safety offices which are structured by regulation, the structure provided to ICPAs is set up according to the emphasis placed upon their duties by local commanders. For example, some ICPAs are provided additional administrative support within their commands while others perform their duties alone, necessitating a large degree of 'coordination' from other offices without the benefit of full-time assistance to take care of routine matters and allow them to focus on more difficult cases that might run into \$millions in future cost avoidances.

It is also important to note that DOL's Office of Workers Compensation (OWCP) controls the program for the entire federal government. Once an injured worker's claim is accepted, OWCP is *the* authority on payments and OWCP makes all decisions regarding the suitability of subsequent job offers. OWCP also closes out claims. To adjudicate claims or elements of a worker's case, OWCP operates its own 'internal court system,' and its decisions cannot be appealed to any other authority, state or federal. The Army may request action from OWCP, but OWCP has the final authority over the workers' case. The Army has no authority to force OWCP to do anything.

Unlike the Army's robust structure for safety, the structure that supports the ICPA is much smaller. From the standpoint of instruction, there is no overarching, clearly written regulation or instruction for ICPAs, such as AR 385-10. Instructions ICPAs use to assist commanders are contained within a diverse and complex set of laws, DoD

instructions and otherwise piecemeal within numerous Army regulations regarding safety reporting, medical care and personnel services. While such scattered instruction may be unavoidable, it does nonetheless result in confusion on the part of ICPAs and commanders.

In order to compensate for this lack of structure and guidance for workers' compensation and programs for returning workers to the job, the Army's program manager for Workers' Compensation, resident within the Army's Human Resources Command, has taken three significant actions to reduce the impact of wage replacement and improve the Army's rate of returned workers. First, the program manager at HRC published an informal (or unofficial) 'handbook' for worker's compensation. Second, the program manager regularly participates in a yearly DoD conference of ICPAs (hosted by the DoD's Civilian Personnel Management Office), in order to help synchronize Army actions with those of DoD. Lastly, the Program Manager at HRC in 2007 held a series of nine regional workshops, centrally funded by the Army, to provide in-depth training for ICPAs. These regional workshops allowed the HRC program manager, ICPAs and officials from DOL, FECA and other organizations to discuss how to manage worker's compensation and return injured workers to the job<sup>47</sup>.

The state of the Army's workers' compensation program is best described by Daisy Crowley, the Army's current Program Manager and the Army's single-most knowledgeable and energetic advocate of improving the Army's performance:

Until 2005, the Workers Comp program was very fragmented. In some locations, the function was performed [for example] by the Medical Clinic; in other locations

it was done by the Safety Office, and in some places by the CPAC. I even found one place where the program was run by the cafeteria manager! There was no follow-up training on how to manage cases or get injured employees back to work. Some installations figured out how to do it on their own but in many cases the injured worker was "out-of-sight, out-of-mind," and completely ignored for years. Until 2005, Army really did not have an organized Workers Comp program. In 2005, all access to the Workers Comp software was restricted to the CPACs which forced all installations to bring their program into the CPAC. It has taken three years to develop and provide training and leadership to the Injury Compensation Program Administrators (ICPAs) within the CPACs to understand how to manage cases, challenge bogus claims, and how to return injured workers to productivity<sup>48</sup>.

While these HRC-led initiatives are commendable, each is problematic in their own way. The Handbook, for example, while well-written and clear, is not an official publication and therefore may not be either completely accurate or reflective of the Army's official position or guidance. The yearly DoD conference, though beneficial to ICPAs and the HRC program manager, is, like the Handbook, not formally programmed by the Army, so there is funding for only a portion of the ICPAs to attend. Rather, only the Army Program Manager routinely attends, but there is no corresponding Army-level conference that might allow the Army Program Manager to promulgate the guidance from the DoD yearly conference. Lastly, the series of Army workshops held in 2007 was a 'one-time proposal,' while it remains clear that regular, formal refresher training for ICPAs is necessary; the Army Program Manager must re-institute the workshops

series – seeking funding and support – when she deems it necessary to gather the ICPAs.

Why is guidance on compensation confusing and unavoidable? By its nature, workers' compensation, as an 'after-effect' of accidents to civilians spans numerous functional areas (operations, safety, medical care and personnel management, for example), making it extremely difficult for one person, such as the ICPA, to have a working knowledge of the laws and rules surrounding the requirements within each functional area. Added to this conundrum is the fact that medical treatment of any kind unleashes health privacy laws, primarily HIPAA, the Health Insurance Portability and Accountability Act of 1996. While HIPAA does not prohibit commanders from accessing vital information on an individual's work-related injury or illness, it does make obtaining such information difficult, time-consuming and sometimes frustrating on the part of ICPAs.

Another factor that complicates the task of getting workers off long-term wage replacement is the propensity for fraud within the workers' compensation programs. Workers who can rightfully claim to hold a disability caused by a work-related injury or illness may draw pay indefinitely, a rule which tempts some injured workers not to actively seek out their own rehabilitation and others simply to commit fraud to hide their otherwise good-health. Such fraud is easily enabled by some health care providers who, either willfully or unknowingly, take a worker's complaint of pain, immobility or disability at face value or fail to challenge the worker. Such a response from medical professionals is understandable but regrettable and often results in long, drawn-out and

even confrontational coordination between ICPAs who attempt to return worker's to the job.

Another frustrating and complicating factor regarding returning workers to the workplace is reluctance on the part of supervisors, managers and local commanders to return workers to work. This reluctance to make offers to workers is evident even though the worker may be fully recovered and deemed fully capable of performing their previous duties. Some of the reluctance stems from a perception that long-term cases involve workers who were 'shirking' work, and thus might be difficult to deal with or be unproductive workers. Such reluctance on the part of officials is even greater when the worker is partly disabled and commanders are forced to allow limited duties. And because Army officials, especially uniformed supervisors, frequently change out every few years, a worker gone from the job for more than a few years may often be a complete stranger to current supervisors and co-workers in their former workplaces, adding to the distrust and thus lack of cooperation from supervisors, cooperation that is essential to getting workers back in their former jobs or new duties.

Further complicating the process of returning workers to the job place is relevance; workers who have been out of the workplace for a long time may have lost technical skills and know-how, especially within technical fields. For example, a clerical worker gone from the workplace for more than a few years may be totally unknowledgeable of current information systems and thus in need of refresher or even qualification training before resuming duties. Technicians or mechanics may not have received training of special tools or diagnostic equipment that has been in use since they last worked, training that was gained incrementally by current workers by fielding

teams or through on-the-job training. Supervisors and local commanders are normally reluctant to take on such workers, given that the first task with such workers is prolonged training, negatively impacting productivity.

Lastly, local commanders and supervisors have no financial incentive to return workers to their duties. Wage replacement is borne by Army Commands in the form of aggregate 'FECA charge-back,' meaning that the sum of all wage-replacement is charged yearly to Army commands by DOL, with little to no effort made within Army Commands to break such costs out by subordinate commands or work-centers. Further, this charge-back amount is simply budgeted by Army Commands, thus further 'institutionalizing' the cost of wage replacement within the Army as simply the cost of doing business. The result of this is acceptance and even complacency on the part of local Army commanders and supervisors.

The simplest way to return workers to the workforce is either to return them to their previous duties once they become physically able or to return them to similar duties in line with their reduced physical capacity. Historically, this has been the manner of returning workers to the force after they have been receiving wage replacement. Most workers are returned to duty in this manner. Unfortunately, returning workers from long-term cases is often a vastly more complex task than for workers who return more quickly. For example, many jobs held by long-term wage-replacement workers have been filled in the interim or the job itself eliminated, forcing personnel officials to seek out similar duties or the same duties in different commands. This can make offering jobs to returning workers extremely difficult at best. In 2007, for example, the Army

made job offers to only 3% of eligible long-term injured employees, returning only 349 of 10,725 injured workers<sup>49</sup>.

Although few job offers are made to returning workers, it is significant to note that of the 349 job offers made in 2007, 280 workers accepted and returned to work. Significantly, 49 of these workers were at least 60 years of age and the oldest was 77 years, attesting to the fact that many workers – even those on the roles long-term – are more than willing to return to the force<sup>50</sup>. However, 97% of these workers did not return to work in 2007 and so we must look at what we can do to capitalize on this vast body of experience and talent and at the same time reduce the cost of wage-replacement.

One program that the Army has at its disposal to assist with returning workers to work, and one that has shown great promise but may be underutilized, is the *DoD Pipeline Program*. Started in 2004, *Pipeline* is a program designed to help commanders return workers to work by mitigating some of the effects described above. *Pipeline* provides commanders with funding for the salaries of returning workers for up to one full year (two full years for some part-time workers), thus removing two obstacles that commanders normally face when returning workers: resource allocation and funding. *Pipeline* minimizes the high cost of wage replacement, improves morale of both the returned worker and coworkers (who see the Army taking care of injured workers) and reduces the cost of training and hiring new workers by capitalizing on the experience of injured workers who might otherwise be lost to the work force<sup>51</sup>. While this program is relatively new, across the Defense Department the program, in 2005 and 2006 returned more than 300 workers, avoiding the expenditure of more than \$300 million in

replacement pay. It is estimated that the return on investment for Pipeline is greater than 1300%<sup>52</sup>.

Clearly, *Pipeline* is an effective mechanism for returning workers to the workplace, but it is underutilized. Of 105 CPACs tracked by the Army in 2007, 36 CPACs made not one offer of employment to an injured worker using *Pipeline*. A majority of CPACs made at most only one or two job offers, when hundreds of long-term injured workers remained on wage replacement rolls, although the majority of those workers are capable of some kind of work within the Army Civilian Personnel System<sup>53</sup>. Given that *Pipeline* is a mature program, that it removes or reduces many administrative barriers to employing workers, that the Army fully supports the program, and that salaries for *Pipeline* 'returnees' are covered and thus not borne by the local commander's budget, it is regrettable that commanders seem unwilling to take greater advantage of *Pipeline*.

Two programs closely related to, and in some ways complementary to *Pipeline* are the President's Safety, Health, and Return-to-Employment (SHARE) Initiative and OSHA's Voluntary Protection Program (VPP). SHARE, which was originally implemented in 2004 and extended by the President in 2006, seeks to reduce accident rates, to improve accident report filing timeliness, to reduce lost production day rates and guide agencies in providing suitable work for returning employees<sup>54</sup>. SHARE establishes goals and provides Executive Branch guidance to federal agencies, such as the Defense Department, to improve performance with regard to civilian workplace injuries and illnesses.

Unlike SHARE, which serves as 'guidance from above,' VPP is a voluntary DOL program with 'teeth,' under the purview of OSHA, which provides incentives for agencies to improve their occupational safety and health programs. Originally created in 1982 for businesses in the private sector, VPP was made available to federal worksites in 1998. VPP sets performance-based criteria for worksites, criteria that exceed the normal requirements of OSHA. If the worksite meets these stringent criteria, VPP eliminates programmed inspections and citations for standard violations. Workers retain rights and responsibilities under OSHA. VPP designation for a worksite is difficult to achieve because it requires a self-disciplined adherence to occupational safety and health practices and must be renewed at regular intervals<sup>55</sup>.

The Army has fully embraced VPP. Most importantly, the Army Secretary designated the Assistant Secretary of the Army for Installations and Environment (ASA I&E) as the Army's executive agent for VPP, pursuant to the establishment of a Defense Department-wide Center of Excellence for VPP<sup>56</sup>. ASA I&E, through use of the Army Safety Coordinating Panel – a board co-chaired by the Director of the Army Staff and the Assistant Secretary of the Army that meets at least twice per year – regularly reviews the Army's performance on a command-by-command and installation-by-installation basis with general officer-level deputy commanders from across all Army commands<sup>57</sup>. Most recently, Tobyhanna Army Depot was designated a VPP "Star Site," VPP's highest rating or designation, an achievement to date that has only been awarded to four Defense Department worksites<sup>58</sup>.

A recent and promising effort to help the Army reduce its wage replacement costs and return more workers to the workplace resulted from a memorandum issued by

the Department of Defense in March of 2007. Known as the 'Eastin-James memorandum,' it requires that each DoD installation initiate a 'FECA Working Group' that must meet quarterly and be chaired by the installation commander or his designate. This working group reviews accident causes, remediates cases and discusses how to bring long-term cases back to the workplace. As evidence of the Army's reaction to this new requirement, in 2007 the Inspector General of US Army Installation Management Command (IMCOM) visited a large number of US Army installations to insure that installations were meeting the requirement<sup>59</sup>. However, these requirements and the associated actions are too new to determine whether they are affecting the rolls of long-term injured workers.

Each of the services approaches safety – both 'tactical' safety related to uniformed members and occupational safety – in a similar fashion. The services share many of the same initiatives, such as VPP. This is due in large part to two inter-service programs that allow for close coordination of safety programs, the sharing of best business practices and the vetting of both guidance from above and status reporting between the services.

In 2003, the Secretary of Defense established the Defense Safety Oversight Council (DSOC), chaired by the Undersecretary of Defense for Personnel and Readiness to provide for coordination between the services and to help meet the DoD's safety goals<sup>60</sup>. In one forum or another, the DSOC and its various sub-groups and steering committees meet at least monthly. The DSOC includes membership from across DoD and the services and is comprised of nine sub-working groups that cover the full spectrum safety and occupational health topics. One of these nine working

groups is the Workers' Injury Compensation Working Group<sup>61</sup>. It is through this working group that the services have come to treat workers' compensation programs in a nearly identical manner.

A second method by which the services closely coordinate safety programs is the Joint Services Safety Council (JSSC). The JSSC is not an organization with membership, but rather a regular gathering – it meets about once a year – of all the 'Service Safety Centers' (including the U.S. Coast Guard, which falls under the Department of Transportation) for the purpose of sharing best practices and lessons learned.<sup>62</sup> Just as with the DSOC, the JSSC has become a mechanism through which the services have developed almost identical methods and initiatives to combat the problem of civilian accidents, injuries and workers' compensation.

### **The 'Reporting' Problem**

It was intended, as part of this study, to determine whether there are any racial disparities within the Army regarding civilian injuries, unemployment compensation, disability determinations or "return to work" rates and to determine, if such disparities existed, the cause. While researching the accident data it became evident, however, that no such determination could be made; the data to support such research are not available. There are two primary reasons for this: first, the Army does not collect, at least in any centralized or readily available way, demographic data regarding race or ethnicity and civilian accidents; and, second, the Army's civilian accident and workplace illness reporting program is decentralized, somewhat chaotic and inadequate for such "top-down" or Army-wide management tasks.

The lack of a standardized (e.g., Army-wide) and accurate accident reporting system, and therefore the absence of a civilian accident data bank, is problematic and is detrimental to meeting both OSHA requirements for occupational safety or workers compensation and to satisfying federal law requiring equal treatment of employees. The current system of reporting accidents basically meets the OSHA requirements, but provides no way of determining whether the Army is meeting the latter requirement. Over the years, each Army installation or command has developed or adopted and implemented different types of automated or manual reporting systems and diverse formats for those reports. In some cases, local commands have invested great amounts of money, time and effort in implementing electronic accident reporting systems, either developed locally or purchased from commercial software vendors. Most commands have become somewhat 'wedded' to those systems and there is a great amount of reluctance to abandon any of those systems in favor of an agreed-upon single, centralized reporting system.

Currently, accident data is collected at Army installation-level (or in some cases at Army command-level), where accidents are appropriately reported to OSHA according to federal law. Summary data concerning these accidents, rather than data on each individual case, are then transmitted from installations or separate Army commands to the Department of Defense Civilian Personnel Office's Injury and Unemployment Compensations (ICUC) Division on a regular basis. Unfortunately, such summary data does not contain demographic data and, because the focus of this summary data is on compensation, it does not contain the requisite range of 'safety data points' necessary to conduct Army-wide analysis of such critical management tasks as

accident prevention or determinations regarding equal treatment. Although there has always been a requirement within Army Regulations for all accidents involving civilians to be centrally reported to USACRC, as well as to OSHA, this has not always been done; most commands have simply viewed the OSHA reporting and record-keeping, along with the regular reporting of aggregate accident and injury data, as sufficient to the task of meeting the Army accident reporting requirement.

Installations must report accidents to OSHA, maintain a log of those accidents for 5 years and also report those accidents centrally to the US Army Combat Readiness Center (USACRC) for the purpose of accident prevention. As it stands now, Army installations or commands – each with their own system – have been successful at meeting the OSHA requirement but have not routinely satisfied the separate requirement to report accidents centrally to USACRC and, as a result, the Army has been forced to use the summary data that results from the OSHA reporting to determine Army Civilian accident rates and to perform other top-down management tasks. Because only OSHA-type data are available from ICUC, they lack the full depth of information necessary to perform anything other than very basic management tasks. For example, data from ICUC may not contain data points that allow the Army to correlate workplace conditions or personnel activities to the occurrence of accidents. Also, such data do not allow the Army to determine whether race, gender or ethnicity somehow factor into the likelihood of accidents or the awarding of disability determinations.

Because only the *initial* accident information and an initial report of injury are reported, information regarding accidents and injuries becomes disconnected from the

accident report and so such accident information is difficult, if not impossible to correlate with resulting injuries. Army regulations require that *all* accidents resulting in damage to property or injuries to personnel be reported. Thresholds related to the extent of damage or injuries require accident reports of varying length and complexity<sup>63</sup>. Once an initial accident occurs, however, and the injured worker begins receiving medical treatment, the accident reports are not updated with information regarding the eventual determination of the injured worker's injuries. For example, if an individual is lightly injured in an accident and that injury subsequently is determined to be more serious, the more serious injury may never become correlated with the circumstances of the accident. From that point forward, health privacy laws (such as HIPAA) are such that unless the worker seeks relief under workers' compensation, information concerning that accident are hidden from nearly all Army agencies, such as those within the Safety community or Personnel community, who may have legitimate reasons to review cases, either individually or in aggregate.

There have been efforts made recently to fix this 'reporting' problem. Most importantly, the recently-revised Army Regulation 385-10 mandates that all Army commands and installations use a reporting format that standardizes the 'data elements' required to satisfy both the OSHA Form 300 (Log of Work-related Injuries and Illnesses) and the Army requirement to report those accidents centrally to USACRC. This new regulation more clearly spells out how local commanders can meet both requirements while, at the same time, reinforces more clearly the need for and the requirement to centrally report all accidents. For example, the new AR 385-10 sets out the standard

'data elements' of civilian accident reports, making certain that all data necessary for meeting both OSHA and Army Safety requirements are included in accident reports.

Unfortunately, it is the *implementation* of a single, centralized reporting system that prohibits the Army from meeting its own requirement to develop a central repository of accident data. The US Army Combat Readiness/Safety Center has been working for a number of years to develop that single Army consolidated mishap reporting system, but so far that system remains a thing of the future. Previously called the *Accident Reporting Automated System (ARAS)*, now re-named "Report-It," it remains more plan than actuality. Envisioned as an online system through which commands can electronically and easily report civilian accidents and at the same time meet OSHA record-keeping requirements, the system is not yet available for two reasons: the system is not yet technically capable and commands/installations remain wedded to individual systems that have been in use and that already meet local and OSHA requirements. Until USACRC fully develops *Report-It*, there will be no central data bank of civilian accident data. Until local commanders accept *Report-It* and willingly use it in lieu of other seemingly more capable locally-used reporting systems, the only data available for management purposes at the Army-level is the raw ICUC data, mostly comprised of lost work time or injury case summary data available via the Defense Department, rather than more robust accident data that could enable top-down safety and personnel management.

## **Summary**

Army civilians are a significant part of the total Army force. Numbering more than 250,000 strong, Army civilians constitute more than 1/4<sup>th</sup> of Army active manpower.

Civilians perform mostly technical and skilled jobs and their tasks are only thinly separated from that of Soldiers in that they are noncombatants, but nonetheless their skills and talents are critical to the smooth functioning of the Army, day-to-day. Former Soldiers and other service personnel are prevalent in the ranks of the Civilian Corps, and their collective talents and knowledge base make them an indispensable part of today's force and key to achieving Army Transformation.

Workplace injuries and illnesses suffered by those Army Civilians are pernicious to the Army and the ill effects of those injuries and illnesses reverberate throughout the force. At a time when the Nation's Armed Forces are engaged in a protracted land war – a land war that relies heavily upon the Army – such effects degrade our national strategy in both objective and subjective ways. Objectively, the Army's civilian accident rates, as measured by both 'accident case rate' and 'lost days rate' are below that of American Industry at large, but not significantly so. Given the Army's overwhelmingly white collar force (85%) compared to Industry at large (57%), one would expect to see a dramatically lower accident rate within the Army Civilian Corps. The true measurable effect of workplace accidents, however, can be found in the cost of accidents and the cost of Army's Workers' Compensation wage replacement: about \$10 million and \$175 million per year, respectively.

Subjectively, accidents and workplace illnesses suffered by civilians have additional insidious effects on the Army at the strategic level. Accidents, injuries, illnesses and equipment losses disrupt services, reduce quality of life (for Soldiers, families and civilians), generate negative publicity, degrade morale and lead to a loss of confidence in Army leadership throughout the force. These more subjective effects

reverberate throughout the force, affecting such critical Army tasks as recruitment, information operations, the deployment cycle, training of forces and the ability to reconstitute units. These effects also pose risk to the Army's ability to achieve *Transformation*, a task already made difficult by the need to execute it concurrent with the War on Terror.

The Army has made great strides of late in promoting safety and embedding a safety culture within the force. Safety regulations, infrastructure, funding and oversight are well coordinated, especially given that the Army's most recent keystone publication for safety, Army Regulation 385-10 – a consolidation of numerous previous publications – is less than one year old and has been well received by the force, a rare achievement for a major re-write and consolidation of a significant regulation. This is testimony to the effective staffing and coordination accomplished beforehand by the Army Secretariat and USACRC.

Unfortunately, the Army's handling of workers' compensation has not been equally adept. While the Army has been largely successful at guaranteeing the rights of workers to fairly access workers' compensation, the Army has largely failed at culling the ranks of those workers to return those who may be capable of work to the force in a timely and efficient manner. Once on wage replacement rolls, little is done to screen cases and personnel are mostly continued on those rolls unless workers seek actively on their own behalf to return to the force. Medical findings of incapacity are mostly taken at face value and many workers draw pay for life without serious regard for the intent of the program: to replace wages until the worker can be reintegrated back into the force. Programs such as Pipeline have proven to be effective, but are not being

leveraged by commanders, many of whom resist accepting previously injured workers back into the force. In short, workers' compensation is open to abuse and there appears to be a fair amount of abuse ongoing.

One reason that so many injured workers remain on the rolls for so long is the lack of workable infrastructure in-place throughout the Army to deal with reducing the rolls of the long-term disabled. ICPAs are overworked and their offices are understaffed. This has occurred primarily because local commands and installations man or staff those ICPAs as they see fit. Another reason that many workers remain on the rolls long-term is that commanders, the same commanders who staff and operate the ICPA programs, are reluctant to re-hire disabled workers. Commanders tend to accept compensation 'charge-back' as an acceptable cost of business and so, without a 'forcing function' to change the status quo, there will be little movement to reduce the number of workers on those rolls.

Lastly, the reporting of Army civilian accidents is, at best, poor. The Army excels at recoding and reporting accidents to OSHA, driven by the need to document injuries for the purpose of workers' benefits, but is less than adept at reporting those accidents centrally to the Army for the purposes of accident prevention and mitigation of accident effects. The US Army Combat Readiness/Safety Center has been trying for years to implement a standard, automated and web-based accident reporting system. That system, Report-It, should satisfy both OSHA and Army Safety record-keeping purposes, but it remains in development. Army commands and installations remain wedded to separate accident reporting systems and mainly send only summary accident data to DoD and to the Army. There is no central repository of civilian

accidents, as there is for Soldier accidents, with which to conduct top-down, Army-level analysis of civilian accidents, injuries, illnesses and their circumstances, whether for quality of life, equal treatment or other purposes. What ill conditions remain hidden within the body of Army civilian accidents will remain so as long as the Army lacks such a body of accident knowledge. Until then, only suppositions can be made.

## **Recommendations**

The Army should take action to redress the problems associated with civilian accident rates and to reduce the negative effects those accidents have upon the force. These changes will improve readiness, increase the effectiveness of the Civilian Corps, dramatically reduce costs, and allow for a greater degree of knowledge about the insidious effects that accidents have upon the Army.

5. The Army must accelerate the development of fielding of *Report-It* as the sole civilian accident reporting system. *Report-It* must be capable of meeting both OSHA and Army safety reporting and record keeping and must feed a central repository of civilian accident data for the Army.
6. The Army must make a greater effort at enforcing its own requirement within AR 385-10 to have all Army commands report every civilian accident to the Army for the purposes of accident analysis and accident prevention. Allowing Army commands to forward only summary accident data is unacceptable, as it allows for less than complete oversight of Army-wide conditions that injury workers.
7. The Army must improve its infrastructure to deal with the effects of workers compensation and must more fully take advantage of *Pipeline*, in order to get injured workers back into the workplace. To do so, the Army should consider

increasing the manning of each ICPA office to include at, at the minimum, the following individuals:

- a. An ICPA chief.
  - b. One or more case reviewers/case handlers with a medical background, preferably a nurse or other specialist with an in-depth medical treatment background.
  - c. One or more investigators or investigation coordinators with a law enforcement background to deal with cases where abuse or fraud is suspected.
  - d. Administrative personnel as needed to handle the case work-load.
8. The Army should develop metrics for compensations payments (FECA charge-back) and return-to-work rates and force commanders to justify yearly their performance in these areas. Such requirements should be placed, as appropriate, within Army Personnel regulations and guidance, rather than within Safety-related regulations.

Civilians are critical to the Army and deserve the very best leadership that the Army can provide. Inherent to leadership is the need to care for workers and to see that their workplaces are free from hazards. As it stands now, the lack of standardized and centralized reporting leaves in doubt whether the Army is providing such effective leadership. Overly large workers' compensation payments and the low return-to-work rates suggest that the Army has taken a laissez-faire attitude toward workers who have been injured and those who remain on wage replacement rolls. Most importantly, all of

this has degraded the Army strategically and especially now in wartime, the Army deserves better.

#### Endnotes:

<sup>1</sup> U.S. Department of the Army, *Operations*, Field Manual 3-0, (Washington D.C.: U.S. Department of the Army, June 2001) 1-2.

<sup>2</sup> U.S. Department of the Army, General Peter Schoomaker and Secretary Francis Harvey, "The Army Civilian Corps," memorandum, Washington D.C., 19 June 2006, available from <http://cpol.army.mil/library/general/acc-memo.html>; Internet; accessed February 11, 2007.

<sup>3</sup> Daisy Crowley, "Injured and Ill Workers: Assessment of Claims, Conditions, and Compensation," briefing slides, Department of the Army, Army Human Resources Command, Sep 25, 2007.

<sup>4</sup> Mary Pat Scanlon, e-mail message to author, Injury and Unemployment Compensation Division, Civilian Personnel Management Service, Department of Defense, 5 February 2008.

<sup>5</sup> U.S. Department of Defense, "Active Duty Military Strength Report for December 31, 2007," 31 December 2007, available from <http://siadapp.dmdc.osd.mil/personnel/military/ms1.pdf>; Internet; accessed 11 February 2008.

<sup>6</sup> U.S. Department of Defense, "Monthly Report of Federal Civilian Employment, Report For: Department of the Army (Consolidated), Report Month: 200710," October 2007, Available from <http://siadapp.dmdc.osd.mil/personnel/civilian/fy2008/october2007/armycon.pdf>; Internet; accessed 11 February 2008.

<sup>7</sup> Lieutenant Colonel Frederick Nutter, e-mail message to author, Department of the Army, Deputy Chief of Staff, G-1 (Personnel), 11 February 2008.

<sup>8</sup> *U.S. Department of the Army Civilian Personnel On-line Homepage*, available from <http://cpol.army.mil/>; Internet, accessed 11 February 2008.

<sup>9</sup> Rusty Weston, "My Global Career 500," linked from *My Global Career Homepage*, available from <http://www.myglobalcareer.com/my-global-career-500/>; Internet; accessed 11 February 2008.

<sup>10</sup> U.S. Department of the Army, *Personnel Selection and Classification, Military Occupational Classification and Structure*, D.A. Pamphlet 611-21 (Washington D.C.: U.S. Department of the Army, 22 January 2001), paragraph 2-2, table 6-1 and tables in chapter 10.

<sup>11</sup> U.S. Department of the Army, *Civilian Personnel Career Management*, Army Regulation 690-950 (Washington D.C.: U.S. Department of the Army, 31 December 2001), table 1-1, pages 10-11.

<sup>12</sup> “*Department of Defense (DoD) Civilian Workforce Demographics*,” linked from The U.S. Department of Defense Civilian Personnel Management Service Homepage, available from [http://www.cpms.osd.mil/hrbits/dod\\_demographics.aspx](http://www.cpms.osd.mil/hrbits/dod_demographics.aspx); Internet; accessed 5 November 2007.

<sup>13</sup> Local National employees work for the U.S. Army under the auspices of “host nation agreements” negotiated separately by the Department of State with each host nation. Workplace accidents and injuries sustained by these individuals are adjudicated under widely diverging programs as dictated by those separate host nation agreements and those injuries are not included in Army injury statistics. Therefore, this paper will not deal with those employees.

<sup>14</sup> James E. Feagins, email message to author, “Chief of Staff Weekly DE Civilian Summary Report – 18 January 2008,” 18 January 2008.

<sup>15</sup> “Monthly Report of Federal Civilian Employment, Report For: Department of the Army (Consolidated), Report Month: 200710.”

<sup>16</sup> Ibid.

<sup>17</sup> The Army’s fiscal year 2008 enacted budget, not including wartime supplemental funding, was \$128.9 billion. See Lieutenant General David F. Melcher, “Army FY 2009 Budget Overview,” briefing slides, U.S. Department of the Army, February 2008, available from <http://www.asafm.army.mil/budget/fybm/FY09/overview.pdf>; Internet; accessed Feb 14, 2008.

<sup>18</sup> George W. Bush, *The National Security Strategy of the United States* (Washington, D.C.: The White House, March 2006) 43-44.

<sup>19</sup> Donald H. Rumsfeld, *The National Defense Strategy of the United States of America* (The Pentagon: March 2005) v and 11.

<sup>20</sup> United States Joint Chiefs of Staff, *The National Military Strategy of the United States of America* (The Pentagon; March 2004) 15.

<sup>21</sup> Ibid, page 17.

<sup>22</sup> “FY04-11 Civilian Human Resources Strategic Plan,” linked from *U.S. Army Civilian Personnel Online Homepage*, available from <http://www.cpol.army.mil/library/civplans/plans.html>; Internet; accessed 2 December 2007, preamble.

<sup>23</sup> Ibid, Section II.

<sup>24</sup> *National Security Personnel System Homepage*, available from <http://www.cpms.osd.mil/nsps/documents.html>; Internet; accessed 16 December 2007.

<sup>25</sup> Ibid.

<sup>26</sup> “NSPS Frequently Asked Questions,” linked from *National Security Personnel System Homepage*, available from [http://www.cpms.osd.mil/nsps/faqs.html#eq\\_gen](http://www.cpms.osd.mil/nsps/faqs.html#eq_gen); Internet; accessed 6 March 2007.

<sup>27</sup> For example, see Assistant Secretary of the Army (Installations and Environment), "Secretary of the Army Civilian Safety Performance Update," briefing, The Pentagon, 10 Jan 2008.

<sup>28</sup> *Employees, Injuries, Total Case Rate, Days Lost and Days Lost Rate* extracted from Mary Pat Scanlon, email; Private Industry Injury Rate(s) are from *U.S. Department of Labor, Bureau of Labor Statistics Website*, available from <http://www.bls.gov/iif/oshsum.htm>; Internet; accessed October 23, 2007; *Private Industry Days Lost Rate* from "Secretary of the Army Civilian Safety Performance Update," 2.

<sup>29</sup> See chart #1.

<sup>30</sup> "U.S. Department of Labor, Economic and Employment Projections, 2006, Table 4, Employment by Major Occupational Group, 2006 and Projected 2016," linked from *U.S. Bureau of Labor Statistics Homepage*, available from <http://www.bls.gov/news.release/ecopro.t04.htm>; Internet; accessed January 4, 2008.

<sup>31</sup> A ratio of 43 blue-collar workers to 57 white-collar workers provides for a "blue-collar ratio" of .7544. The Army civilian ratio would be 15:85, or .1765. Using those figures, .7544 is to 50.3 as .1765 is to 12, if that ratio (or the percent of employees in blue-collar jobs) accounted for all of the variance in the days lost rate.

<sup>32</sup> Mary Pat Scanlon.

<sup>33</sup> See Chart 1.

<sup>34</sup> Mary Pat Scanlon.

<sup>35</sup> Long-term cases statistics cited as of 30 June 2007, as opposed to the date of 30 September 2007 for the measure of total open cases. These statistics are not routinely reported for the same exact time period. See, Mary Pat Scanlon.

<sup>36</sup> "Army Budget – Fiscal Years (FY) 2008 and 2009," U.S. Army, Press Release, Army Public Affairs, 5 February 2007, available from <http://www.asafm.army.mil/budget/fybm/FY08-09/greentop.pdf>; Internet; accessed 10 Nov 2007.

<sup>37</sup> US Department of the Army, *Army Safety and Occupational Health Strategic Plan*, (Washington, D.C.: U.S. Office of the Assistant Secretary of the Army for Installations and Environment, 21 July, 2006) 1.

<sup>38</sup> "OSHA Compliance Assistance: Synopsis of the OSH Act," linked from *U.S. Department of Labor Homepage*, available from [http://www.osha.gov/dcsp/compliance\\_assistance/oshact.html](http://www.osha.gov/dcsp/compliance_assistance/oshact.html); Internet; accessed 7 January 2008.

<sup>39</sup> See U.S. Department of Defense, *DoD Instruction Number 6055.1* (Washington, D.C.: The Pentagon, 19 August 1998) and *DoD Instruction Number 4715.1E* (Washington, D.C.: The Pentagon, 19 March 2005).

<sup>40</sup> U.S. Department of the Army, *The Army Safety Program*, Army Regulation 385-10 (Washington, D.C. U.S. Department of the Army, 23 August 2007) i.

<sup>41</sup> Ibid. Among the regulations that the re-write of AR 385-10 consolidated were: AR 385-10, dated 29 February 2000; AR 385-16, dated 2 November 2001; AR 385-61, dated 12 October 2001; AR 385-64, dated 1 February 2000; AR 385-95, dated 10 December 1999; AR 11-9, dated 28 May 1999; AR 672-74, dated 28 April 1995; AR 385-40, dated 1 November 1994; AR 85-69, dated 31 December 1993; AR 385-14, dated 8 April 1991; and AR 385-55, dated 12 March 1987.

<sup>42</sup> U.S. Secretary of Defense Donald H. Rumsfeld, "Reducing Preventable Accidents," memorandum, Washington, D.C., 19 May 2003.

<sup>43</sup> For example, see U.S. Secretary of the Army, "Safety and Occupational Health," memorandum, Washington, D.C. 2 April 2005.

<sup>44</sup> It is standard practice in the United States Army that all new or revised regulations are sent out to Army commanders in 'draft' form for comment and review before publication to afford commanders to comment upon impact of the proposed changes beforehand.

<sup>45</sup> *The Army Safety Program*, 15-21.

<sup>46</sup> U.S. Department of Defense, Department of Defense Civilian Personnel Manual (CPM), DoD Manual 1400.25-M (Washington, D.C., U.S. Department of Defense, December 1996).

<sup>47</sup> Daisy Crowley, email message to author, 2 June 2007.

<sup>48</sup> Ibid.

<sup>49</sup> Daisy Crowley, "Injured and Ill Workers: Assessment of Claims, Conditions, and Compensation."

<sup>50</sup> Ibid.

<sup>51</sup> *Pipeline Homepage*, available from <http://www.cpms.osd.mil/pipeline/pipeline.aspx>; Internet; accessed 17 Nov 2007.

<sup>52</sup> U.S. Department of Defense, Civilian Personnel Management Service, *Pipeline Tri-fold*, pamphlet, available from <http://www.cpms.osd.mil/ASSETS/0C178AF1FDE147C5840E48C97CAEE642/PipelineTrifold.pdf>; Internet; accessed 17 Nov 2007.

<sup>53</sup> Daisy Crowley, "Injured and Ill Workers: Assessment of Claims, Conditions, and Compensation."

<sup>54</sup> U.S. Secretary of Labor, "Extension of the Safety, Health, and Return-to-Employment (SHARE) initiative with Revised Goals 3 & 4," memorandum, Washington, D.C. 2 October 2008.

<sup>55</sup> See U.S. Department of Labor, *Occupational Safety & Health Administration Homepage*, available from <http://www.osha.gov/dcsp/vpp/index.html>; Internet; accessed 4 January 2008.

<sup>56</sup> See listing of responsibilities listed under “DASA-ESOH Directorates” at *Office of the Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health (DASA-ESOH) homepage*, available from [http://www.asaie.army.mil/Public/ESOH/1ESOH\\_default.html](http://www.asaie.army.mil/Public/ESOH/1ESOH_default.html); Internet; accessed 7 January 2008.

<sup>57</sup> Ibid.

<sup>58</sup> U.S. Department of Defense, “About DoD VPP CX,” linked from *DoD VPP CX Homepage*, available from <http://vppcx.org/about.htm>; Internet; accessed 3 March 2008.

<sup>59</sup> Daisy Crowley, email, 2 June 2007.

<sup>60</sup> *Under Secretary of Defense for Personnel and Readiness Homepage*, available from <http://www.defenselink.mil/prhome/>; Internet; accessed 5 June 2008.

<sup>61</sup> CDR Linda Byrnes, “The Defense Safety Oversight Council (DSOC)-Establishment, Purpose and Scope” briefing slides, Washington D.C., Executive Secretary, DSOC Installation and Industrial Operations Task Force, 20 March 2008

<sup>62</sup> See 2007 “Joint Services Safety Conference – Briefs,” linked from the Naval Safety Center Homepage, available from <http://safetycenter.navy.mil/JSSC/default.htm>; Internet; accessed 5 June 2008.

<sup>63</sup> *The Army Safety Program*, 21-34.