

Increasing Hazard Reporting with a Just Safety Culture

**William H. Grimes, CSP
Vice President Safety
CitationAir
Greenwich, CT**

Introduction

In any organization, the concept of supporting a culture where employees can freely report observed hazards or report individual errors that may impact safety is a key component to managing risk in a proactive format. This is especially true in high risk and consequence industries such as aviation, health care, and power generation. The purpose of this paper is to outline the three main components required for implementing a viable hazard reporting process in any company. These elements include:

1. Provide a defined company policy as an element of your safety management system (SMS).
2. Provide a platform for confidential safety reporting – example, Aviation Safety Action Program (ASAP).
3. Include elements of a just safety culture to support the process.

Commercial aviation working in concert with the regulators such as the Federal Aviation Administration (FAA) was an early proponent of providing a platform and process for employees such as commercial pilots to report operational errors in a non-punitive approach. The intent was that more safety data can assist in implementing methods to mitigate risks and hazards. In the late 1990's, American Airlines was the first airline to enter into a unique relationship with the FAA, management and unions that provided a platform for pilot reporting of workplace errors under the context of a program called the Aviation Safety Action Program (ASAP).

The genesis of the ASAP program was the realization that operational errors were not decreasing for several reasons. One, the FAA employed a punitive based process for all pilot violations including ones of a pure human error nature and did not include any intentional disregard for safety. This drives the reporting of errors and violation below the surface, and only the errors that were either observed by the FAA or company management could be captured for trending and corrective action purposes.

In 2010, the airlines in the United States achieved a remarkable record that has only been achieved several times before. There were no fatal accidents recorded by a U.S.-based airline in 2010. This is quite a remarkable feat based on the number of takeoffs and landings that occurred in 2010 that totaled over 10 million. This exceeds the statistical requirements for Six Sigma. The following graph in Figure 1 illustrates the trend over the last ten years, in which significant credit goes to proactive safety reporting programs.

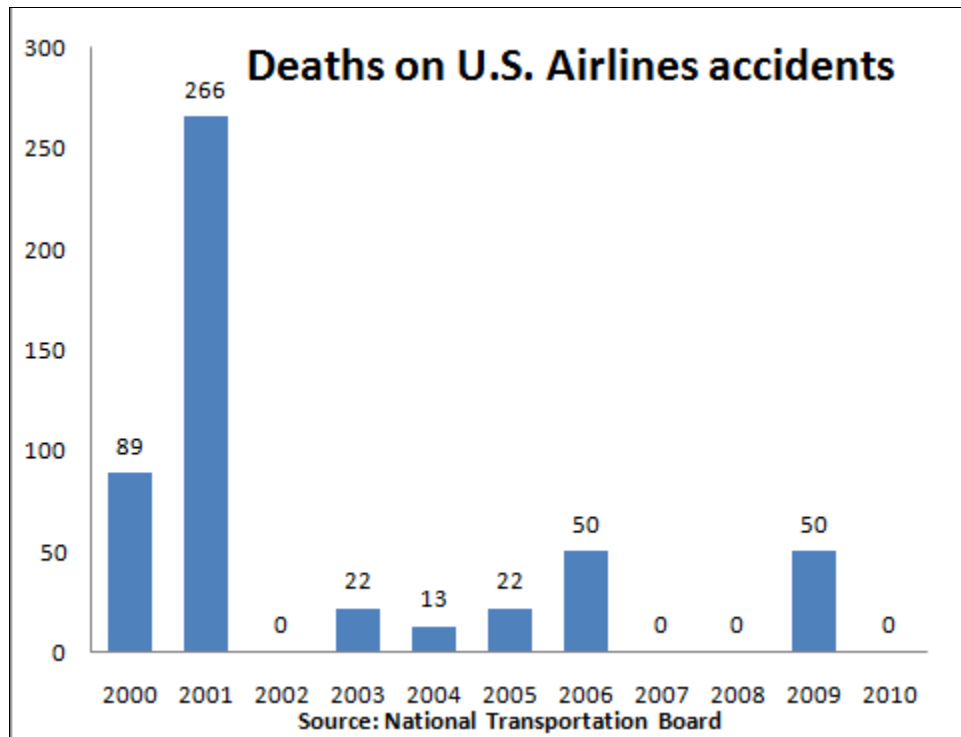


Figure 1. The number of airline fatality-related incidents declines.

Hazard reporting policy

One of the most influential aspects of an organizational culture in terms of the management of safety is that it shapes safety reporting procedures and practices by operational personnel. Identification of hazards is a fundamental activity underlying the management of safety. Nobody is in a better position to report the existence of hazards, and what works the way it is supposed to and what does not, than operational personnel, who have to live with and face hazards on an everyday basis. Effective safety reporting of hazards by operational personnel is a cornerstone of an effective SMS process.

A key element of implementing a viable hazard reporting system is developing and publishing a written company policy that clearly outlines the expectations of the company for reporting hazards and the protections that an employee will receive for doing so. The policy should outline what is expected of each employee and how they will be protected from any

possible putative actions based on their report. The following is an example of a typical hazard reporting policy:

Our company is committed to providing its employees and customers with a safety management system to support the safest operation possible as noted in the company safety policy statement signed by the President of the company. In the pursuit of our goal of "zero incidents" it is imperative that we have uninhibited reporting of all safety hazards, concerns and / or suggestions that in any way may affect the safety of everyone.

Every employee has the responsibility and right to report safety hazards, concerns and / or suggestions that may affect the integrity of our operations to their immediate supervisor, SVP Director of Operations or to the VP of Safety. The company has the responsibility to provide every employee the opportunity to report those hazards and concerns and do so if desired in a confidential format and without fear of disciplinary action.

To promote the timely, uninhibited flow of information, it is the policy of the company that there will be no disciplinary action taken against any employee for reporting a safety hazard or perceived hazard, safety concern, noted unintended human errors related to slips, lapses or mistakes and / or suggestion for improvement.

The company will not initiate disciplinary proceedings against an employee who discloses a safety hazard or perceived hazard, safety concern, human error related event / or suggestion involving safety. However, this policy does not apply to, willful violations (unless invoking emergency authority) of law or company policy, or any event where there was intentional disregard for safety. The policy also does not apply to any event or condition that involves criminal activity, substance abuse, controlled substances, alcohol or intentional falsification. In such cases, the company reserves the right to take disciplinary actions as appropriate. The company also reserves the right to take appropriate action against employees that willfully disregard the reporting of known or recognized safety hazards.

The company will evaluate all reports and when appropriate and may require supplemental training or other actions necessary to prevent future hazards. Such training would not be disciplinary in nature, but would be consistent with the safety goals that have been established.

The company has a program in place for employees to report safety hazards, concerns and / or suggestions that protects the identity of the employee if desired. This can be accomplished by reporting the incident or safety issue directly to the VP of Safety and Security, which will be maintained confidential if requested or using the online reporting system.

The company has also established a confidential safety fax number. Employees can forward confidential messages using the Safety fax number. Faxes sent to the above number are received only by the VP of Safety and Security. In addition, general observations of safety hazards can be reported using the hazard report form located in the safety website.

We urge every employee to use this program to help us provide the highest level of safety for our employees and customers. Every employee who submits a report will be contacted and provided feedback on the final outcome regarding his/her report provided they choose to leave contact information.

Figure 2. An example of a company hazard reporting policy.

Hazard Reporting Platforms Are the Foundation – FAA ASAP Example

The objective of the ASAP is to encourage air carrier employees to voluntarily report safety information that may be critical to identifying potential precursors to accidents. The Federal Aviation Administration (FAA) has determined that identifying these precursors is essential to further reducing the already low accident rate. Under an ASAP, safety issues are resolved through corrective action rather than through punishment or discipline. The ASAP provides for the collection, analysis, and retention of the safety data that is obtained. ASAP safety data, much of which would otherwise be unobtainable, is used to develop corrective actions for identified safety concerns, and to educate the appropriate parties to prevent a reoccurrence of the same type of safety event. An ASAP is based on a safety partnership that includes the FAA and the certificate holder, and may include a third party, such as the employee's labor organization. To encourage an employee to voluntarily report safety issues, even though they may involve the employee's possible noncompliance with Title 14 of the Code of Federal Regulations (14 CFR), enforcement-related incentives have been designed into the program.

Information obtained from these programs will permit ASAP participants to identify actual or potential risks throughout their operations. Once identified, the parties to an ASAP can implement corrective actions in order to reduce the potential for reoccurrence of accidents, incidents, and other safety-related events. In order to gain the greatest possible positive benefit from ASAP, it may be necessary for certificate holders to develop programs with compatible data collection, analysis, storage, and retrieval systems. The information and data, which are collected and analyzed, can be used as a measure of aviation system safety.

Guidelines for Acceptance of Reports under ASAP

Participation in ASAP is limited to the airline employees and to events occurring while acting in that capacity. Each employee participating in ASAP must individually submit a report in order to receive the enforcement-related incentives and benefits of the ASAP policy. However, in cases where an event may be reported by more than one person, each individual who seeks coverage under ASAP may either sign the same report or submit separate signed reports.

Criteria for Acceptance. The following criteria must be met in order for a report involving a possible violation to be covered under ASAP:

1. The employee must submit a report in a timely manner. In order to be considered timely, a report must be submitted in accordance with either of the following two criteria:
 - (a) Within a time period following the event that is defined in the Memorandum of Understanding (MOU), such as within 24 hours of the end of the duty day in which the event occurred. If this criterion has been met, a report would not be rejected for timeliness, even if the FAA was already aware of the possible noncompliance with the regulations, and may have brought it to the attention of the employee;
 - (b) Within 24 hours of having become aware of possible noncompliance with 14 CFR in accordance with the following criteria: If a report is submitted later than

the time period after the occurrence of an event stated in the MOU, the ERC will review all available information to determine whether the employee knew or should have known about the possible noncompliance with 14 CFR within that time period. If the employee did not know or could not have known about the apparent noncompliance with 14 CFR within that time period, then the report would be included in ASAP, provided the report is submitted within 24 hours of having become aware of possible noncompliance with 14 CFR, and provided all other ASAP acceptance criteria have been met. If the employee knew or should have known about the apparent noncompliance with 14 CFR, then the report will not be included in ASAP.

1. The alleged regulatory violation must be inadvertent, and must not appear to involve an intentional disregard for safety.
2. The reported event must not appear to involve criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification.
3. Sole-source reports that meet all of the above acceptance criteria except timely submission will be accepted under ASAP.

Just Safety Process Overview

Including a just safety process in any hazard reporting is a key component of its safety management system. A just safety culture is an atmosphere of trust in which employees are encouraged to provide essential safety-related information, but in which it is also clear about where the line is drawn between acceptable and unacceptable behavior. An effective reporting culture depends on how the organization handles blame and punishment. A “no-blame” culture is neither feasible nor desirable. Most people desire some level of accountability when a mishap occurs. In a Just culture environment, the culpability line is clearly drawn. There are a number of benefits of having a just culture versus a blaming culture (or no-blame culture) and the three main ones are:

- Increased safety reporting,
- Trust building
- More effective safety and operational management.

The purpose of a just safety process is to both clearly establish acceptable versus unacceptable behavior and systematically look at the differences between human error, “at risk behaviors,” and reckless actions in a defined and uniform format. The just safety process is based on the following premises:

- To err is human – humans will make mistakes
- To drift is human – we have behavioral choices
- Risk is inherent in our operations
- We must manage and support our company values
- We are all accountable for safety

These premises are based on the concept that all employees have three core duties in a just safety culture environment:

1. A duty to produce an outcome
2. A duty to follow a procedural rule
3. A duty to avoid causing unjustifiable risk or harm

Based on training that all managers should receive, each incident that is investigated should use the defined Just safety culture principle. This process will encourage a collaborative system to evaluate events as being caused within the following three categories noted in Figure 3:

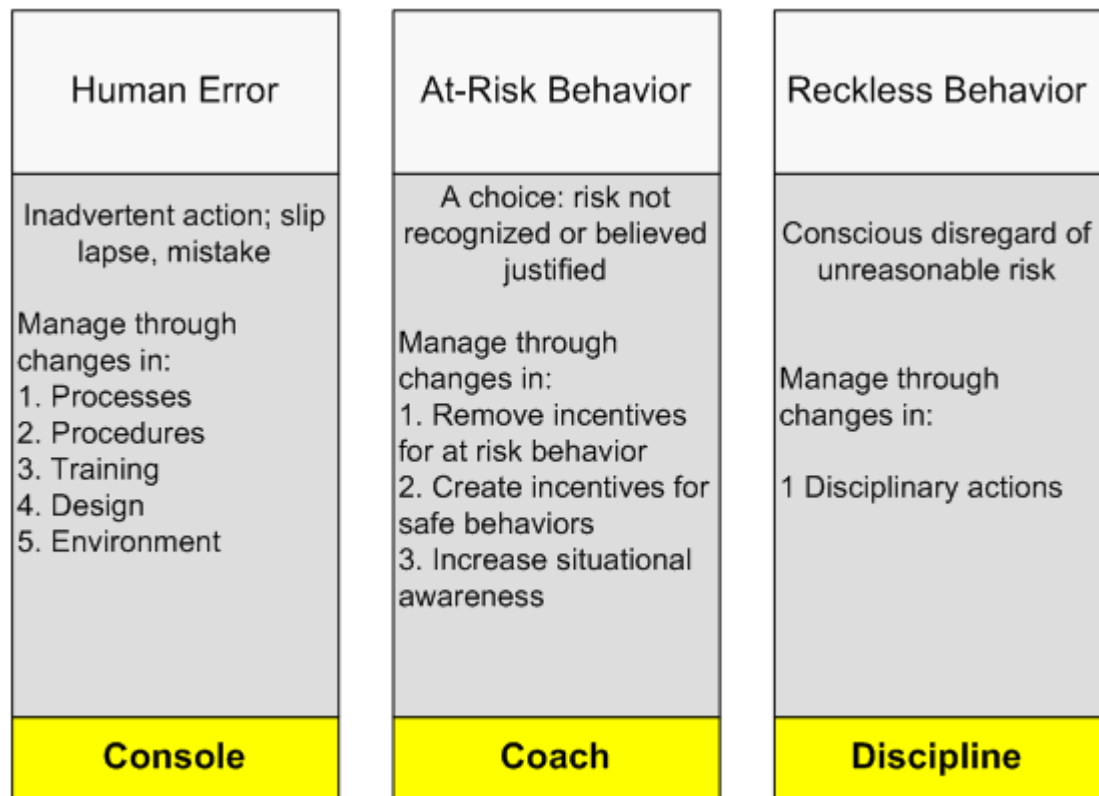


Figure 3. Categories for reviewing events and assigning the corrective action.

Based on the nature of the event and circumstances, the appropriate form of response should be implemented by the manager. This can include consoling the individual if it was an inadvertent error. The principal is that punishing human error will not effect change and drive future hazard reporting to cease. An event that is defined as an at-risk choice is best managed via coaching. Lastly, events that are determined to be caused by reckless behavior are justified for disciplinary actions. The just culture provides a road map for managers to

evaluate events in a systematic format and lets employees know that based on their actions that they will be treated in a fair and just format.

Bibliography

Marx, D. *Whack A Mole*. Plano, Texas: Your Side Studios. 2009.

Federal Aviation Administration (FAA) Advisory Circular 120-66b, Aviation Action Safety Programs (ASAP). November 15, 2002.