



U.S. Chemical Safety and Hazard Investigation Board

SUBJECT: Accident Victim and Family Communication Program

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1. PURPOSE

This Order establishes policies and procedures for the United States Chemical Safety and Hazard Investigation Board's (CSB) Accident Victim and Family Communication Program (AVFCP).

2. EFFECTIVE DATE

This Order is effective upon passage by the Board.

3. REFERENCES

This Order is informed, in part, by the Aviation Disaster Family Assistance Act of 1996, Pub. L. No. 104-264, §§ 701-05, 110 Stat. 3213, 3264-69 (1996). Additionally, The United States Occupational Safety and Health Administration (OSHA) has issued directive CPL 02-00-153 to communicate its fatality inspection procedures to victims' families and facilitate the exchange of information throughout the inspection and settlement process.

4. SCOPE

This section shall apply to the conduct of CSB investigations and follow-up recommendations work and shall govern the activities of the CSB Members and employees involved in providing communication to victims and their families. The CSB investigations program has limited resources; activities described in this order will be performed to the degree that personnel and resources are available.

5. POLICY

The CSB is committed to ensuring that communications between the CSB and accident victims and their families are conducted with their well-being in mind. To that end, and in keeping with CSB strategic goals, the implementation of the AVFCP will help with broad dissemination of CSB findings through advocacy and outreach and preservation of the public trust. The AVFCP is designed to take into account the mental, physical, and emotional state of the accident victims and their families in communications. Finally, the AVFCP will help to preserve the public trust by serving as a source of information concerning the root causes of an accident to victims and their families.

During the course of an investigation, the CSB should communicate relevant public, factual information to the accident victims and their families through appropriate forums, such as Family Follow-Up Meetings, as deemed appropriate by the Investigator-In-Charge (IIC). The CSB may also seek to interview victims and their families to collect information pertaining to the investigation. This communication will help facilitate the CSB's goal of preserving the public trust through the dissemination of information to accident victims and their families. The CSB should provide accident victims and their families with the contact information of appropriate

assistance organization(s) experienced in disaster and posttraumatic communication, such as the American Red Cross or the Salvation Army. The CSB should also provide accident victims and their families with the contact information of an employee of the CSB who shall serve as the designated CSB point of contact for accident victims and their families.

6. DEFINITIONS

6.1. *Victim and Family Communication*

Victim and Family Communication includes, but is not limited to, communications between the CSB and accident victims and their families concerning: interviews, requests for information, providing victims with contact and services information for appropriate crisis-intervention organizations, and informational meetings.

6.2. *Victim and Family Communication Meeting*

A Victim and Family Communication Meeting is the initial meeting between the CSB and accident victims and their families. In this meeting, the CSB shall communicate the role of the CSB, initial investigative findings approved for public release, the limits of the CSB's assistance, and the CSB's means of communication throughout the investigation. As in all situations, the CSB will provide facts without speculating on the cause of the accident. A representative from an appropriate assistance organization should be present at this meeting, if practicable. See Appendix A for an example of a Victim and Family Communication Meeting Agenda.

6.3. *Victim and Family Communication Representative*

The Victim and Family Communication Representative (VFCR) shall be an employee of the CSB and shall serve as the designated CSB point of contact for accident victims and their families. The VFCR shall be appointed by the IIC or investigation supervisor to lead the AVFCP for the investigation. The Managing Director may also designate a trained VFCR to function in that capacity in multiple investigations. The CSB will develop a training program for VFCRs.

6.4. *Family*

Federal and state laws define who constitutes a family member from a legal point of view. Therefore, legal definitions may vary from state to state. Traditional definitions included spouse, children, mother, father, brother, and sister. Terms such as stepparents, stepsiblings, and partners have become more common in recent years in defining family members. The CSB should take a broader view of who is a family member and foresee a variety of family member scenarios.

6.5. *Victims*

Victims are typically defined as individuals who directly incur psychological and/or physical injuries or fatalities related to the accident.

6.6. *Victim and Family Follow-Up Meeting*

A Victim and Family Follow-Up Meeting is any meeting between the CSB and the accident victims and their families after the Victim and Family Communication Meeting. See Appendix B for an example of a Victim and Family Follow-Up Meeting Agenda.

7. PROCEDURES**7.1. *Following decision to deploy***

The deployment team, or the incident screening office in consultation with the deployment team, shall submit an interrogatory request to companies under investigation requesting names, phone numbers, and addresses for the accident victims and their emergency contacts. This information will be provided to the IIC and the VFCR for the specific investigation.

7.2. *Prior to Victim and Family Communication Meeting*

At the approval of the IIC or investigation supervisor, the VFCR will coordinate sending a condolence letter, on behalf of the Board, to the family of any victim that has suffered fatal injuries. Appendix A provides an example condolence letter. The VFCR will be in communication with the accident victims and families to notify them of the Victim and Family Communication Meeting agenda, date, and time. The VFCR shall also contact an appropriate assistance organization(s) to seek a representative of the organization(s) to be present at the meeting. The VFCR will inform the assistance organization(s) of information pertaining to the accident including: the number of victims, time, date, and location of the Victim and Family Communication Meeting. The VFCR shall communicate with the assistance organization(s) concerning its roles and expectations during Family Follow-Up Meetings. The CSB should remind accident victims and their families of any upcoming meetings. The CSB should also provide accident victims and their families with an informational brochure or other materials describing the CSB investigative process.

7.3. *CSB Interviews with accident victims and their families*

Interviews with accident victims and their families will be at the discretion of the IIC or the investigation supervisor. Depending on the level of physical and emotional injury, these interviews may be very sensitive in nature. Due to the accident victims' and their families' sensitive condition, the VFCR and the IIC should conduct these interviews with an awareness of its sensitive nature and proceed according to their training. When injuries are severe and life threatening, it is advised that any interviews be performed with the support of the family members of the accident victim. Family members may be present in CSB interviews with severely injured accident victims. The VFCR may also be present in the interviews.

7.4. CSB Victim and Family Communication Meeting

The Victim and Family Communication Meeting will be hosted and conducted by the CSB, with a representative(s) of an appropriate assistance organization(s) in attendance. The Family Assistance Meeting should be conducted according to the Agenda in Appendix A.

- The IIC, the designated CSB representative such as the investigation supervisor, or Board Member will express condolences, make an opening statement, and ask everyone in the room to introduce themselves.
- The IIC will explain what to expect from the CSB investigation.
- The IIC will give an update on the investigation and answer questions.
- The VFCR will circulate a sign-up sheet to collect contact information (e.g. email, addresses and cell phone numbers).
- The VFCR will introduce assistance organization representative(s).
- The assistance organization representative(s) will explain their organization's role and offer to speak one-on-one with accident victims and their families following the meeting.
- The CSB will communicate any further information pertaining to the investigation as deemed appropriate by the IIC.
- When possible, the Victim and Family Communication Meeting should be held before returning from the initial deployment.

7.5. Communication with accident victims and their family throughout the investigation

Whenever feasible, the IIC shall inform the VFCR of all upcoming press conferences and press releases regarding the investigation. The VFCR will then attempt to notify accident victims and their family of upcoming press conferences and press releases.

7.6. CSB Public Meetings at conclusion of investigation

The VFCR should invite accident victims and their families to any upcoming relevant CSB public meetings. This invitation should include the date, time, location, and any other pertinent information regarding the meeting. The FRC should provide accident victims and their families with a copy of the investigation report and any associated CSB video concerning the accident.

7.7. Recommendations Communications

Following the completion of an investigation, the VFCR should notify victims regarding the status of any significant Board recommendations. If the Board is planning to close or change the status of a significant recommendation at a public meeting, the VCFR should attempt to notify the victims and their families.

8. RESPONSIBILITIES

8.1. Role of the CSB

The role of the CSB in the AVFCP is to communicate with the accident victims and their families, and to provide a bridge to appropriate assistance organization(s), such as the American Red Cross or the Salvation Army. The CSB will also provide accident victims and their families with a point of contact within the agency to handle questions or provide information.

8.1.1. Managing Director

- Evaluate AVFCP performance in consultation with supervisors and ensure changes are made as needed.

8.1.2. Incident Screening Department

- Provide IIC and VFCR with all information obtained through initial screening and information collection activities.

8.1.3. Investigation Team Leads and Supervisors

- Ensure CSB team members and VFCR receive appropriate training in the AVFCP.
- Ensure that the CSB employees execute the AVFCP according to this Order.

8.1.4. Investigator in Charge

- Delegate duties outlined within this Order to the VFCR.
- Clarify what information is pertinent for the VFCR to communicate at Family Follow-Up Meetings.
- Explain the AVFCP to company officials at the opening conference and as needed.
- Ensure that contact information for the accident victims and their families is requested in the initial deployment interrogatory request letter submitted to the involved parties. Note that accident sites may have union representation; unions might also be able to provide the investigation team with contact information of accident victims and family members.

8.1.5. CSB Victim and Family Communication Representative

- Following the approval of the IIC, the VFCR shall:
 - Notify appropriate assistance organization(s) of an accident deployment.
 - Request that the assistance organization(s) have a local agency contact to send to the Victim and Family Communication Meeting.
- Following receipt of contact information from the screening department, send condolence letters to accident victims and their families.
- Complete adequate training in areas including, but not limited to: disaster mental health, family communication, and posttraumatic communication. A training plan will be developed for the VFCR by HR in conjunction with IICs.
- Schedule the Victim and Family Communication Meeting. See Appendix A for an example agenda of the Victim and Family Communication Meeting.

- Facilitate the Victim and Family Communication Meeting in conjunction with the investigation supervisor and the IIC.
- Schedule Family Follow-Up Meetings to ensure to the extent practicable that accident victims and their families are notified in advance concerning public meetings, new reports, and other significant announcements. See Appendix B for an example agenda of the Family Follow-Up Meeting.
- During the investigation, serve as the primary point of contact for accident victims and their families as needed.
- The VFCE must be careful to observe the limits of his or her role as a conduit for official information from the CSB and a resource for providing information about services available from appropriate assistance organizations. VFCEs cannot themselves provide mental health or other personal assistance to victims or their families, nor can VFCEs advise victims or their families on legal or advocacy activities in response to the accident. Finally, VFCEs must be careful to avoid inadvertently communicating sensitive information to the victims and their families such as medical information pertaining to other victims, confidential business information, trade secret information, or CSB findings that have not been finalized or that have not yet been released to the general public.

8.2. Role of External Assistance Organizations

The role of an appropriate external assistance organization(s) should be to provide family care and crisis intervention after an accident. The external assistance organization should coordinate various local organizations offering counseling along with other support services. The assistance organization(s) should meet with the families who have traveled to the accident location and contact the families unable to travel to the location. Contact between the assistance organization(s) and the CSB may be on-going throughout the entirety of the investigation. Contact may include, but is not limited to: participation in Victim and Family Communication Meetings, Family Follow-Up Meetings, and post-interview consultation with accident victims and their families.

9. PUBLICATION OF NAMES OF DECEASED

The CSB policy is to publish in its investigation reports the names of all persons who have died as a result of the accidental release. The IIC is responsible for confirming that no immediate family members object to such publication. While the CSB will strive to respect a family's wishes, it reserves the right to publish the names of persons as it deems appropriate.

10. REVIEW AND UPDATE

The CSB Investigations Office will review this order periodically and propose any needed changes to the Board.

Chemical Safety and Hazard Investigation Board

Adopted, July 2, 2013; Amended, September 12, 2019.

Appendix A. Example Agenda for Victim and Family Communication Meeting

CSB Victim and Family Communication Meeting Agenda

- IIC/CSB Representative/Board Member Condolences and Opening Statement
- Introductions of all attending
- About the CSB
- Investigation Status
- Family Assistance through American Red Cross and local aid agencies
- Questions for the CSB and Information for the CSB

Appendix B. Example Agenda for Family Follow-Up Meeting

CSB Family Follow-Up Meeting Agenda

- Introductions
- Investigation Status
- Final Public Meeting Preview:
 - Selected slides
 - Investigation Video Preview (for those who want to see)
- Questions for the CSB