



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
VS 8000.375**

Aviation Safety Policy

Effective date:
02/02/2021

SUBJ: Aviation Safety Voluntary Safety Reporting Program

Aviation Safety (AVS) sets, oversees, and enforces safety standards for all parts of the aviation industry, impacting every facet of domestic and international civil aviation safety. AVS is responsible for the certification, production approval, and continued airworthiness of aircraft as well as the certification of pilots, mechanics, and others in safety-related positions. In AVS, everyone has the same goal in mind – safety. Voluntary Safety Reporting Programs (VSRPs) are a key component of the Safety Management System (SMS) that AVS embraces for its own organization as well as the industry we oversee.

In an effective, voluntary safety-reporting environment, everyone in AVS shares an open, trusting culture characterized by a commitment to compliance, self-correction, and voluntary disclosure. In this environment, we operate with a safety-first mindset that enables greater autonomy across AVS. This culture increases awareness of aviation-safety-related issues and concerns, voluntary adoption of best practices, and mutual trust in the safe handling and appropriate use of raw data and information. The integration of data across the enterprise enhances safety and enables improved insight and well-designed tools and processes to facilitate data analysis and sharing of findings. Mitigation initiatives that come out of the AVS VSRP are developed using risk-based, data-driven decisions and coordinated to ensure alignment and integration with other activities across the FAA.

In a truly healthy safety culture, multiple reporting mechanisms work in parallel to address safety concerns. As such, the AVS VSRP works in parallel with existing FAA and AVS reporting tools, such as the FAA Hotline, AVS Safety Recommendations Program, Quality Management System, etc.

As AVS employees participate in our VSRP, they should know that they help improve our awareness and understanding of aviation safety issues.

**ALI
BAHRAMI**

Digitally signed by ALI
BAHRAMI
Date: 2021.02.02
07:47:11 -05'00'

Ali Bahrami
Associate Administrator for Aviation Safety

Table of Contents

<i>Paragraph</i>	<i>Page</i>
Chapter 1. Aviation Safety Voluntary Safety Reporting Program	1-1
1. What Is the Purpose of This Order?	1-1
2. Who is the Audience?.....	1-1
3. Where Can I Find This Order?	1-1
4. What Is the AVS VSRP?.....	1-1
5. What Information Does the AVS VSRP Collect?.....	1-1
6. Who May Participate in the AVS VSRP?	1-1
7. What May Be Reported to the AVS VSRP?	1-1
8. What is the AVS VSRP Reporting Process?.....	1-2
9. Is the AVS VSRP Confidential?	1-3
10. What are the Protective Provisions of AVS VSRP?	1-4
11. Who Reviews Submitted Reports?.....	1-4
12. How are Related Investigations Handled?	1-4
13. What Are Possible Outcomes of Filing an AVS VSRP Report?	1-4
14. How Does the FAA Use AVS VSRP Reports?.....	1-5
15. What Options Are Available to the ERT?.....	1-6
16. What Is the AVS VSRP Consensus Process?	1-8
17. What Is the Alternate ERT Review?	1-10
18. Where May People Request AVS VSRP Data?.....	1-10
19. What Are the Program Reporting and Data Exchange Requirements?.....	1-10
Chapter 2. Roles and Responsibilities.....	2-1
1. Initiator.	2-1
2. AVS Managers.	2-1
3. Event Review Team.	2-2
4. AVS VSRP Manager.....	2-3
5. Analysts.	2-4
6. AVS VSRP Executive Board.	2-4
Chapter 3. Administrative Information.....	3-1
1. Distribution.....	3-1
2. Background.	3-1

Table of Contents

<i>Paragraph</i>	<i>Page</i>
3. Authority to Change This Order.....	3-1
4. Related Publications.	3-1
5. Suggestions for Improvements.	3-2
6. Records Management.	3-2
Appendix A. Definitions	A-1
Appendix B. Aviation Safety (AVS) Voluntary Safety Reporting Program (VSRP) High-Level Process Flow	A-1
Appendix C. Directive Feedback Information	A-1

Chapter 1. Aviation Safety Voluntary Safety Reporting Program

- 1. What Is the Purpose of This Order?** This order establishes the Voluntary Safety Reporting Program (VSRP) for Aviation Safety (AVS).
 - 2. Who is the Audience?** This order applies to all AVS personnel.
 - 3. Where Can I Find This Order?** You can find this order on the MyFAA Employee website: https://employees.faa.gov/tools_resources/orders_notices/. This order is available to the public at http://www.faa.gov/regulations_policies/orders_notices/.
 - 4. What Is the AVS VSRP?** The internal AVS-wide VSRP is an integral part of a positive, vibrant safety culture and provides a confidential, non-punitive mechanism for AVS employees to voluntarily report aviation-safety-related issues and concerns. This VSRP uses AVS employee input to identify leading indicators and significant aviation safety issues, operational deficiencies, noncompliance with regulations, and deviations from policies and procedures. In this way, the AVS VSRP helps improve aviation safety awareness.
 - 5. What Information Does the AVS VSRP Collect?** The information collected by the AVS VSRP will vary. Through this program, an AVS employee, known as the initiator, will voluntarily report on aviation-safety-related issues or concerns he or she is involved in, observes, or identifies. The AVS VSRP is dependent on reports by AVS employees, and will not include all aviation-safety-related issues and concerns. The AVS VSRP also collects information during the course of addressing submitted reports.
 - 6. Who May Participate in the AVS VSRP?**
 - a. Bargaining Unit.** All AVS bargaining unit employees covered by an applicable Memorandum of Understanding (MOU) are eligible to participate for the duration of the MOU.
 - b. Non-bargaining Unit.** All AVS non-bargaining unit employees are eligible to participate, including managers and supervisors.
 - c. Non-filing Employees.** If an AVS VSRP report identifies another AVS employee, and the original report otherwise qualifies for acceptance into the AVS VSRP, the Event Review Team (ERT) may offer the identified AVS employee the opportunity to submit a report without compromising the confidentiality of the initiator. The ERT will consider acceptance by the same criteria as the original report and extend the same protections.
 - 7. What May Be Reported to the AVS VSRP?** AVS employees can report any issue or concern that can have a potentially negative impact on aviation safety through the AVS VSRP, including, but not limited to, matters concerning aircraft operations, maintenance, repair, manufacturing, aerospace medicine, cabin safety, and avionics. Reportable issues also include
- Note: Participation in the AVS VSRP does not alleviate or waive any requirements to complete on-the-job training, certification training, or any other classroom or online indoctrination training applicable to employees.*

situations or conditions that could contribute to an unsafe condition. Issues may be local, regional, national, or international issues that deal with policies, procedures, or publications that are related to aviation safety.

a. Noncompliance Reports. AVS employees can submit aviation-safety-related issues or concerns that appear to involve a possible noncompliance with applicable FAA directives, regulations, statutes, and orders.

b. Aviation Safety Concern Reports. AVS employees can submit aviation-safety-related issues or concerns that do not involve specific noncompliance with the FAA directives, regulations, statutes, and orders. These may include, but are not limited to, potential issues, concerns, or perceived problems with aviation safety policies, procedures, equipment, automation, and publications.

c. Reports Indirectly Related to Aviation Safety. Reports of issues or concerns indirectly related to aviation safety may fall within the purview of the AVS VSRP. The ERT will determine if there is an aviation safety component. If the report is not appropriate for AVS VSRP, the ERT may, by consensus, forward a de-identified (i.e., redacted) copy to the appropriate FAA department head as information and for possible internal resolution or advise the initiator that they may seek assistance through other processes, such as the FAA Hotline.

d. Previously Reported Matters. It is acknowledged that reported instances of aviation-safety-related issues or concerns may actually be systemic. AVS employees are encouraged to identify systemic issues or repeated nonconformities even if previously reported. Reports will be subject to the criteria for acceptance as described in paragraph 13.a of this chapter.

Note: *Filing an AVS VSRP report satisfies the general duty of employees to report aviation safety occurrences or problems under Human Resources Policy Manual (HRPM) Volume 4.1, Standards of Conduct, except in cases of national security or immediate threat of life.*

8. What is the AVS VSRP Reporting Process?

a. Submission of Reports. When an eligible AVS employee, per paragraph 6 of this chapter, is involved in, observes, or identifies an aviation-safety-related issue or concern, the employee should complete the AVS VSRP Form online and submit it electronically. The employee should complete a separate form for each aviation-safety-related issue or concern as soon as practicable. They should describe the matter in sufficient detail so that the ERT can understand the problem. They may attach all relevant evidence (e.g., documents, pictures, and video) that they believe directly support their aviation-safety-related issue or concern. Such considerations and information can include, but are not limited to, reference to the applicable regulatory requirements or National Transportation Safety Board (NTSB) recommendations, appropriate certificate and registration numbers, and tracking or identification numbers used to capture related information within FAA databases. The AVS VSRP accepts reports regardless of when an aviation-safety-related issue or concern arose or was discovered, provided the reports otherwise meet the criteria for acceptance as described in paragraph 13.a of this chapter.

Note: *AVS employees must not include classified information in the narrative or attachments of VSRP submissions.*

b. Administrative Processes. The AVS VSRP Manager, in conjunction with the ERT, must develop and document a process for appropriate report handling and analysis in the Administration Manual and Standard Operating Procedures. This process must address at least the following:

- (1) AVS VSRP report review and de-identification.
- (2) Data gathering for investigations.
- (3) Communication with initiators and other identified employee(s).
- (4) ERT standards and procedures.
- (5) Analyst standards and procedures.
- (6) AVS VSRP standards and procedures.
- (7) Corrective actions of reported aviation-safety-related issues or concerns.
- (8) Follow up on effectiveness of corrective actions.
- (9) Data requests.

9. Is the AVS VSRP Confidential? The AVS VSRP's success depends on its ability to maintain confidentiality.

a. Confidentiality. The intent of the AVS VSRP is to protect the identities of the employee reporting a safety concern and any other employees mentioned in the initiator's report. The AVS VSRP will make every effort to maintain the confidentiality of individuals not covered by the AVS VSRP. Any names and other identifying information will be redacted prior to review by the ERT, subject matter experts, the AVS VSRP Executive Board, or posting to the AVS VSRP website. Individually identifiable information will only be shared in instances where it is required to gather additional contextual information. The confidential information will be limited to only those who have a need-to-know. Records submitted to the AVS VSRP are protected to the extent allowed by law.

b. AVS VSRP Confidentiality and Nondisclosure Agreement. Because of the highly sensitive nature of the information reviewed in VSRP reports, each ERT member and analyst must sign a VSRP Confidentiality and Nondisclosure Agreement. The VSRP Manager shall also require any person who has access to confidential VSRP information to sign a VSRP Confidentiality and Nondisclosure Agreement prior to being granted access to the information.

c. Reports Not Accepted into the AVS VSRP. Reports not accepted into the AVS VSRP, because they do not meet the acceptance criteria listed in paragraph 13.a of this chapter, may not receive the same confidentiality protection as reports accepted into the AVS VSRP.

10. What are the Protective Provisions of AVS VSRP? The following provisions apply to reports that are accepted under paragraph 13.a of this chapter (and not subsequently excluded).

a. Confidentiality. The AVS VSRP considers information that could be used to identify the initiator or any other employees mentioned in the initiator's report to be confidential as described in paragraph 9 of this chapter.

b. Disciplinary Action. The FAA will not use disciplinary action, to include the revocation of FAA-issued credentials, to address a reported aviation-safety-related issue or concern accepted into the AVS VSRP.

c. Enforcement Action. The FAA will take no enforcement action against an employee who submits a report that is accepted (and not subsequently excluded).

11. Who Reviews Submitted Reports? The primary ERT members, consisting of management and union representatives, conduct reviews and deliberation for all AVS VSRP reports. Decisions are reached by consensus of the appropriate ERT members based on impacted organizations.

12. How are Related Investigations Handled? Filing an AVS VSRP report does not preclude the FAA from performing its responsibilities pertaining to aviation safety reporting, safety risk management, quality assurance, quality control, and oversight, nor does it excuse employees from fulfilling their obligations to any investigative process. The AVS VSRP will not share the detailed contents of an accepted AVS VSRP report with related FAA investigations, unless required by law. The AVS VSRP may share aggregate information, derived information, or both, about aviation safety hazards identified as a result of VSRP submissions for coordination, reporting, and tracking.

13. What Are Possible Outcomes of Filing an AVS VSRP Report? The appropriate AVS VSRP ERT members will make consensus decisions resulting in one of the following outcomes for each report:

a. Accepted. A report identifies an aviation-safety-related issue or concern and does not reflect any of the exclusions in paragraph 13.b of this chapter.

Note: *The ERT should not delay an acceptance decision in order to wait for the results of a related investigation.*

Note: *The ERT will determine through consensus, on a case-by-case basis, to accept a report that reflects an instance of a repeated act of the same or similar noncompliance by the same individual due to a common root cause set forth in a report that the ERT previously accepted and addressed with corrective action under the AVS VSRP.*

b. Not Accepted.

(1) Reports of issues or concerns not related to aviation safety fall outside the purview of the AVS VSRP. The ERT may forward, by consensus, reports not related to aviation

safety to the appropriate FAA department head for his or her information and, if possible, for internal FAA resolution.

(2) The AVS VSRP will not accept reports that involve criminal activity, substance abuse, alcohol use or misuse, or intentional falsification of issues.

(3) Reports that involve intentional disregard for safety or gross negligence are excluded. These include acts (or failures to act) demonstrating a gross disregard for, or deliberate indifference to, safety or a safety standard.

(4) Reports of events that directly involve an employee but that occurred while he or she was acting outside the scope of his or her employment, such as the operation of aircraft for personal or recreational purposes, are excluded.

Note: *The AVS VSRP will purge reports not accepted into the AVS VSRP from the reporting tool in accordance with the processes outlined in the AVS VSRP Administration Manual and Standard Operating Procedures.*

c. Change in Acceptance Status. There are a few instances in which an AVS VSRP report status may shift between accepted and not accepted.

(1) A report previously not accepted into the AVS VSRP, based on criteria described in paragraph 13.b of this chapter, may change from not accepted to accepted if additional information is received, such as through a related investigation. In these instances, the report will be referred back to the ERT for a determination of acceptability. The AVS VSRP will accept these reports provided they otherwise meet the acceptance criteria described in paragraph 13.a of this chapter.

(2) A report previously accepted into the AVS VSRP, based on criteria described in paragraph 13.a of this chapter, may change from accepted to not accepted if the FAA discovers evidence that establishes the report should not have been accepted into the program in accordance with paragraph 13.a of this chapter.

d. Failure to Reach Consensus. The success of the AVS VSRP relies on the ability to reach consensus. Failure to reach consensus brings into question the capability of all parties to collaborate successfully. The ERT members will make decisions involving reported aviation-safety-related issues and concerns based on applicable guidance through consensus. The ERT members will strive to reach a consensus on whether a report is accepted into the program, how the report should be addressed, and the review of the Office of Primary Responsibility's (OPR's) proposed corrective action(s). If the primary ERT members cannot reach consensus, having exhausted all resources and ability to reach compromise, they will forward the complete report for review by the alternate ERT members in accordance with paragraph 17 of this chapter.

14. How Does the FAA Use AVS VSRP Reports?

a. Accepted Reports. The AVS VSRP will not share the contents of an accepted AVS VSRP report with FAA personnel conducting related FAA investigations, including investigations that could result in enforcement action, unless required by law.

b. Reports Excluded Due to Criminal Activity, Substance Abuse, Alcohol Use or Misuse, or Intentional Falsification of Issues. The ERT will refer such reports to an appropriate FAA office for further handling. The FAA may use the entire content of such a report, including the content of the ERT investigation and/or interviews concerning the reported event, as evidence in any FAA investigation and FAA action.

c. Reports Excluded for Other Reasons. If the ERT excludes a report for reasons other than those listed in paragraph 13.b, such as violations outside the scope of employment, repeated noncompliance, etc., the FAA ERT may, by consensus, communicate knowledge of the event to the appropriate FAA office for further handling.

15. What Options Are Available to the ERT? The ERT conducts an evaluation of each report and the results of that evaluation can drive them to one of three options. The ERT recommends corrective action to the OPR, determines if more information is needed to complete the evaluation, or decides that no action is needed at this time.

a. Corrective Action Request. A corrective action request (CAR) is a formal request for action to resolve an identified aviation-safety-related issue or concern. A CAR provides the OPR and the appropriate union, when applicable, specific information and recommendations for resolving the matter.

(1) The following are examples of corrective action to an identified hazard that presents an unacceptable level of risk (High, Medium, and Low, as defined in FAA Order 8040.4, Table 2-1). The list is not all-inclusive but presents a starting point for developing a recommendation for a corrective action.

- (a) Procedural change with associated document change
 - i. Consider the effect of any controls on the new procedure
 - ii. Revise process measurement, if necessary
 - (b) Addition or change of a control to increase the probability of executing the procedure properly
 - (c) Additional information and instructions for a process
 - (d) Addition to or modification of Quick Reference Guides
 - (e) Additional training for personnel
 - (f) Change in process training modules
 - (g) Additional resources added to a process
 - (h) Bulletins
- (2) The ERT will provide supporting information in the CAR.

(3) The OPR will provide a timely response.

(a) Recipients of a CAR will provide a corrective action plan (CAP) within the specified timeline identified in the CAR. The CAP must include a business case for the proposed corrective action. The OPR should apply change management and safety risk management principles in accordance with FAA and AVS policy and guidance.

(b) Recipients of a CAR may request a time extension in writing from the ERT. The request must include a reasonable justification. The ERT has the responsibility to respond to requests for extensions. The AVS VSRP will share the ERT's decision with the applicable union(s) and the Executive Director of the OPR or the Federal Air Surgeon (if the Office of Aerospace Medicine (AAM) is the OPR).

(c) If recipients do not provide a timely response, the AVS VSRP will notify the ERT, the applicable union(s), and the Executive Director of the OPR or the Federal Air Surgeon (if AAM is the OPR).

(4) The ERT will review the proposed CAP.

(a) If the ERT concurs, the OPR will implement the CAP and provide status updates to the ERT as agreed upon in the CAP. The implementation will be monitored for effectiveness against a measure(s) of success documented in the CAP. The CAP may be revised if issues are identified during monitoring. Once the measure(s) of success is achieved, the ERT will close the AVS VSRP report. For issues associated with high risk, the ERT may opt to continually monitor the issue for changing trends.

(b) If the ERT does not concur with the initial response, it will work with the OPR to resolve the matter.

(c) If the ERT determines that the final response does not appropriately address the identified aviation-safety-related issue or concern, the ERT will raise the matter for Executive Board review and guidance.

b. Individual Training. There may be instances where reports highlight the need for individual training for the initiator to resolve proficiency issues. This type of training is not considered punitive or disciplinary action. The responsible manager or designee must ensure that the details of and reasons for the training remain confidential. The AVS VSRP Administration Manual and Standard Operating Procedures will describe the process for managing this situation. If the assigned training is not completed to the satisfaction of the ERT, the AVS VSRP report will be excluded from the program and the initiator will not be entitled to the protective provisions of the program.

c. Information Request. The ERT may request information from an FAA organization or office to supplement AVS VSRP report content. Information requests are for gathering additional data and do not require corrective action. Recipients of an information request may choose to initiate corrective action as a result of receiving a request and will share those actions with the AVS VSRP.

(1) An informal information request may be any form of communication the ERT initiates via e-mail, phone, or other means to better understand a potential aviation-safety-related issue or concern.

(2) The AVS VSRP will send an informal information notification request to the appropriate OPR for any aviation safety item that may need immediate attention.

(3) The AVS VSRP will initiate a formal information request using a standard template directed to the appropriate level within the FAA responsible for the reported aviation-safety-related issue or concern.

(4) Recipients of information requests must provide a response within the specified timeline.

(5) If recipients do not provide a timely response, the AVS VSRP will elevate the issue to a higher level in the appropriate organization.

(6) If a response to an information request confirms an aviation-safety-related issue or concern, the ERT will work with the OPR to resolve the matter in accordance with paragraph 15.a of this chapter.

d. No Corrective Action Recommended. Upon completion of an evaluation of an AVS VSRP report, the ERT may determine that no further action is warranted. If additional information becomes available that either increases the risk or highlights the matter as systemic, the ERT may reconsider recommending corrective action.

16. What Is the AVS VSRP Consensus Process? ERT decisions involving AVS VSRP reports will be arrived at via consensus based on safety risk, the best available data, and applicable regulatory guidance or policy. Consensus refers to the voluntary agreement of all applicable ERT members for a particular decision.

a. Decision-Making Process. As a decision-making process, consensus is inclusive, participatory, cooperative, democratic, and solution-oriented. Debate improves the consensus outcome; everyone's opinion is equally valued. The consensus decision-making process places importance on concurrence among members rather than on reaching a particular outcome. The success of the AVS VSRP hinges on the ability of the ERT to reach consensus agreement on every element of the ERT process.

(1) The ERT members are empowered by their organizations to be the decision-making body on ERT processes. They represent their organizations in service to the best interests of safety.

(2) The consensus process will actively solicit input and participation from all members of the ERT involved in the decision. Achieving consensus requires that the ERT treat the considered opinion of every member seriously. Discussing the issue can also help identify opinions and information relating to the topic at hand. The ERT often identifies the general direction of the group and potential proposals for action during these discussions.

(3) Cooperation must be voluntary and free from coercion. Cooperation can be frustrated in consensus decision making when individual, inflexible, or unpopular opinions hinder agreement. Participants in an effective consensus process should strive to reach the best possible decision for all ERT members rather than pursue a majority opinion to the detriment of the minority opinion. The same is true for the minority opinion to the detriment of the majority opinion.

(4) All members of the ERT involved in the decision have equal input into the process.

(5) An effective ERT decision-making process should emphasize agreement over differences and reaching effective decisions by compromise.

b. Reaching Consensus. The AVS VSRP relies on the ability of the ERT to use the previously explained concepts to reach agreement. Reaching consensus involves collaboration and compromise. In some situations, not all of the ERT members may feel that the group decision is the ideal decision, but it is a decision that all can accept.

(1) Reaching consensus is difficult at times and requires work, active listening, and the ability to maintain the vision of what the AVS VSRP seeks to attain. Occasionally, an issue may arise that is of primary concern to one member; identifying and addressing such concerns is a critical component of ERT consensus building.

(2) Consensus may be reached with little or no discussion if there is agreement between ERT members when a report is discussed for the first time. Other reports may challenge ERT members to compromise and suggest alternatives, which might lead to acceptable positions. These proposals may start several rounds of discussion to address or clarify concerns. Each member must show commitment to the program by articulating his or her position. Also, members must look for acceptable solutions to an impasse, even if they would not necessarily choose one of the solutions under consideration. Willingness to strive for compromise whenever possible is crucial to the proper functioning of an ERT and enhances mutual respect for the views of other members. Care should be taken so that a few dominant individuals or issues do not drive all decisions.

(3) The consensus decision-making process relies on the ability of each ERT member to represent their organization to the best of their ability without any outside interference.

(4) The AVS VSRP is focused on addressing aviation-safety-related issues and concerns and not people. As such, the focus of the ERT is on reaching an agreed-upon solution without regard to any of the involved parties.

(5) When an ERT member is unable or unwilling to continue looking for a compromise solution to an impasse, that member should consider whether to postpone the discussion, seek additional data, or request concurrence from members to forward the report for an Alternate ERT Review per paragraph 17 of this chapter.

17. What Is the Alternate ERT Review? The first priority of all ERT members is to strive for consensus on each issue so use of the alternate ERT members should be viewed as a measure of last resort. If the primary ERT members cannot reach consensus, having exhausted all of resources and ability to reach compromise, they will forward the complete report to the appropriate alternate ERT members for review. To bring a fresh perspective to the issue, the ERT members involved in an alternate review will not solicit nor accept input from the primary ERT members. In addition, they will treat the report as a new report. Although alternate ERT members may utilize data that makes up the case file for each report, the alternate ERT members will conduct their own independent review and investigation and collect the necessary information to process the report. The alternate ERT members retain responsibility for the report. For acceptance into the AVS VSRP, there is no further referral. For decisions regarding corrective action, if the alternate ERT cannot reach consensus, the AVS VSRP will present the matter to the Executive Board (EB).

18. Where May People Request AVS VSRP Data? Requests for AVS VSRP data can be submitted to the VSRP using the data request process described on the AVS VSRP website.

19. What Are the Program Reporting and Data Exchange Requirements? Without violating confidentiality, the AVS VSRP will produce the following:

a. Regular Communications. The AVS VSRP will publish communications periodically that may include portions of de-identified reports. The AVS VSRP Administration Manual and Standard Operating Procedures delineate the frequency of these publications.

b. Quarterly Reports. The AVS VSRP will produce quarterly reports that provide updates and status of the program, as applicable. Reports may include aviation-safety-related issues or concerns identified and resolved, statistical data, and other information deemed appropriate by the program. The Reports will not contain any personally identifiable information.

c. Annual Reports. The AVS VSRP will produce an annual report providing a comprehensive review of the year's statistical data, significant activities and accomplishments, and other information deemed appropriate by the program.

d. Data-Sharing Processes. The AVS VSRP must establish a documented data-sharing process that allows approved requestors to access aviation safety information gathered by the program, as determined by the AVS VSRP. Data-sharing processes must include provisions to prevent sharing information that may violate the initiator's confidentiality without his or her consent.

(1) The information within the AVS VSRP is sensitive; therefore, data sharing must not compromise the integrity of the program.

(2) Requests for AVS VSRP data must be coordinated through the appropriate process.

Chapter 2. Roles and Responsibilities

1. Initiator. When an individual is involved in, observes, or identifies an aviation-safety-related issue or concern, he or she should:

a. Note the Specifics. Note the problem and any specifics that will help reduce the likelihood that it recurs.

b. Complete the AVS VSRP Form. The AVS employee should complete the AVS VSRP Form online for each aviation-safety-related issue or concern and submit it electronically. The employee should complete a separate form for each aviation-safety-related issue or concern as soon as practicable. They should describe the matter in sufficient detail so that the ERT can understand the problem. They may attach all relevant evidence (e.g., documents, pictures, and video) that they believe directly support their aviation-safety-related issue or concern. Such considerations and information can include, but are not limited to, reference to the applicable regulatory requirements or NTSB recommendations, appropriate certificate and registration numbers, and tracking or identification numbers used to capture related information within FAA databases.

Note: *AVS employees must not include classified information in the narrative or attachments of VSRP submissions.*

c. Respond to ERT Requests. Provide additional clarifying information to the ERT as requested. It is very important for initiators to give additional information when requested so that the ERT can make an informed decision concerning all aspects of the report. Provided that the additional information does not result in the ERT reversing its decision to accept the report, the information is subject to the protective provisions in Chapter 1, paragraph 10.

d. Report Reprisal or Retaliation. Initiators may choose to report any allegations of reprisal or retaliation regarding accepted VSRP reports to the appropriate manager and/or Union representative for referral to the appropriate entity for further action. Alternatively, the initiator may choose to report their allegation directly to Office of Special Counsel, Office of Inspector General, or any other entity of the initiator's choice.

2. AVS Managers.

a. Roles and Responsibilities. All AVS Managers or designees must:

- (1) Adhere to VSRP MOUs as applicable.
- (2) Remind AVS employees periodically that they may file an AVS VSRP report for any aviation-safety-related issues or concerns they are involved, observe, or identify per FAA Order VS 8000.370B, Aviation Safety (AVS) Safety Policy, paragraph 10.c.
- (3) Consider a submitted AVS VSRP report as accepted unless the ERT determines otherwise.

(4) Provide AVS employees who choose to file an AVS VSRP report the time and a location to file the report.

(5) Take no disciplinary or adverse actions at any time for matters covered by an accepted AVS VSRP report. An AVS VSRP report does not stop a manager's obligation to complete performance management responsibilities (i.e., annual performance reviews) and such a review is not considered disciplinary.

(6) Not force AVS employees into a leave or non-pay status or change an employee's regular schedules and days off, as a result of the reported incident while awaiting the ERT decision on acceptance. During this waiting period, managers may make changes to schedules and days off in cases where the employee is in agreement with the change.

(7) Provide AVS employees adequate time and resources to accomplish training in a timely manner, as recommended by ERT, for any accepted AVS VSRP report.

(8) Keep confidential, per Chapter 1, paragraph 9, information requested by, and all training recommended by, the ERT.

(9) Respond to all information requests from the ERT or analysts and accomplish corrective actions.

(10) Provide new AVS employees with training about the AVS VSRP as part of the mandatory AVS Onboarding curriculum. AVS shall provide annual refresher training to all employees.

b. Local Documentation. Local documentation may be retained regarding reports accepted into the AVS VSRP. Such documentation should be clearly marked to indicate that it is associated with an accepted AVS VSRP report.

(1) Documentation associated with reports accepted into VSRP may not be referenced or used to support any disciplinary or adverse action.

(2) Documentation associated with reports accepted into VSRP may be used to support training recommended by the ERT.

3. Event Review Team. The ERT is made up of an equal number of management and union members, with alternates for each member.

a. AVS VSRP Meetings. The ERT will determine when to meet based on the number of reports received or the need to acquire time-critical information. The ERT may also meet, as needed, to address reports or matters that require immediate attention. ERT members can meet in person, via telephone, through video conferencing, or through any combination of these media.

b. AVS VSRP Report Acceptance. The ERT reviews and analyzes reports listed on the meeting agenda to determine whether these reports qualify for acceptance into the AVS VSRP. The ERT should be able to make an acceptance decision for most reports based on the

information provided by the initiator. In those cases where the report itself does not provide enough information, the ERT will request additional information.

c. AVS VSRP Information Sharing. The ERT authorizes fact-finding, as needed, to support timely decisions. They may request that an analyst contact the initiator for more information and clarification. ERT members will consult with other FAA subject matter experts, as needed, during the AVS VSRP process to better understand the nature of an aviation-safety-related issue or concern and its appropriate disposition. The ERT may share and exchange information on accepted reports, which shall be subject to confidentiality requirements as described in Chapter 1, paragraph 9.

d. AVS VSRP Investigations. The ERT reviews each report to identify actual or potential aviation-safety-related problems and causal factors. They also assess severity using the most current version of FAA Order 8040.4, Appendix C Safety Risk Definition Tables and Risk Matrix, propose solutions, request corrective action from the OPR whenever appropriate, and monitor effectiveness of corrective actions. The ERT is responsible for directing any investigations resulting from a reported aviation-safety-related issue or concern accepted into the program. The ERT may request assistance from AVS at the national level to perform all or some of an investigation. The applicable union or bargaining unit may designate a participant.

e. Response to AVS VSRP Reports. The ERT will ensure that every submitted report receives a response. Not all reports warrant additional action beyond the initial review and response. The use of other information will have the most value after acceptance and while determining ERT recommendation for corrective action.

4. AVS VSRP Manager.

a. Administration of AVS VSRP. The AVS VSRP Manager will administer all aspects of the AVS VSRP:

- (1) Work collaboratively with the unions in accordance with applicable MOUs.
- (2) Plan the delivery of the overall program and its activities in accordance with the mission and the goals of the AVS organization.
- (3) Develop and implement long-term goals and objectives to achieve the successful outcome of the AVS VSRP.
- (4) Participate in the development of an annual budget and operating plan to support the AVS VSRP.
- (5) Maintain an evaluation framework to assess the strengths of the AVS VSRP and to identify areas for improvement.
- (6) Develop and maintain program resources, processes, personnel, and training related to the administration of the AVS VSRP.

(7) Provide guidance for standardizing ERT processes to ensure consistency in decision making across multiple ERTs.

(8) Approve releases of program information in accordance with the AVS VSRP Data Request Process.

(9) Ensure a database is available to track each submitted report, the analysis of reported aviation-safety-related issues and concerns, and any resultant corrective actions.

(10) Serve as the focal point for information and inquiries about the status of AVS VSRP reports, and for the coordination and tracking of ERT recommendations. The AVS VSRP Manager will report on progress of the recommended CARs and publish required reports in accordance with program reporting and data exchange requirements described in chapter 1, paragraph 19.

(11) Ensure that each initiator is given the status of his or her report upon request.

(12) Direct an annual review on behalf of the ERT with an emphasis on determining whether corrective action was effective in preventing or reducing the recurrence of similar, identified aviation-safety-related issues and concerns.

5. Analysts. The AVS VSRP will utilize a complement of analysts, including analysts from each bargaining unit.

a. De-Identify AVS VSRP Reports. Analysts will redact, de-identify, and prepare AVS VSRP reports for ERT review.

b. Assist AVS VSRP. Analysts will respond to ERT requests for additional information and fact-finding on submitted reports per the direction of the AVS VSRP Manager or by ERT consensus. Analysts will also assist with maintaining current status of submissions in the VSRP reporting tool.

6. AVS VSRP Executive Board. The EB validates VSRP core principles and values. The EB is a group comprising members of the AVS Management Team (AVSMT) and leadership from each participating union.

a. Consensus. The EB will make its decisions involving AVS VSRP matters by consensus.

b. ERT Decisions. The EB must not override the decisions of the ERT.

c. AVS VSRP Corrective Actions. The EB will:

(1) Resolve issues where neither primary nor alternate ERT can reach a consensus decision regarding recommendation for corrective action for an AVS VSRP Report.

(2) Resolve issues where the OPR and ERT cannot agree on a corrective action plan.

(3) Review and resolve corrective action(s) regarding AVS VSRP Reports not completed to the satisfaction of the ERT.

d. AVS VSRP Audits. The EB will review and respond to recommendations from audits of the AVS VSRP.

Chapter 3. Administrative Information

1. Distribution. This order is distributed to all AVS personnel. This order is also distributed to American Federation of Government Employees (AFGE); the American Federation of State, County and Municipal Employees (AFSCME); the National Air Traffic Controllers Association (NATCA); and the Professional Aviation Safety Specialists (PASS).

2. Background.

a. Aviation Safety Reporting System (ASRS).

(1) ASRS is a program funded by the FAA and administered by the National Aeronautics and Space Administration (NASA). Although ASRS is a type of VSRP, it does not follow the same model as the AVS VSRP identified in this order. ASRS is governed by Advisory Circular 00-46, as amended. Under the ASRS program, FAA employees may submit information that NASA will de-identify, except where it involves criminal activities or accidents, before submitting to the respective agencies participating in the program. Reports and information are available at <http://asrs.arc.nasa.gov/>.

(2) When an employee submits an ASRS report, disciplinary action will not be taken for a reported issue if all of the following conditions are met:

(a) The employee's action or lack of action was inadvertent;

(b) The employee's action or lack of action did not involve a criminal offense, accident, or action under section 44709 of title 49 of the United States Code, which discloses a lack of qualification or competency; and

(c) The employee shows proof that within 10 days after the occurrence, he or she completed and submitted, electronically or by mail, a report to NASA's ASRS. When completing a VSRP report, employees may choose to electronically submit a copy of their VSRP report to ASRS via the VSRP database.

3. Authority to Change This Order. The issuance, revision, or cancellation of the material in this order is the responsibility of the Associate Administrator for Aviation Safety (AVS-1).

4. Related Publications. This order was developed to be consistent with the latest versions of the following aviation safety documents that existed at the time the order was published:

a. FAA Order VS 1300.2, *Aviation Safety (AVS) Quality Management System (QMS)*

b. FAA Order VS 8000.367, *Aviation Safety (AVS) Safety Management System Requirements*

c. FAA Order 8000.369, *Safety Management System*

d. FAA Order VS 8000.370, *Aviation Safety (AVS) Safety Policy*

e. FAA Order 8040.4, *Safety Risk Management Policy*

f. FAA Order 8020.17, *FAA Procedures for Handling FAA and International Safety Recommendations*

5. Suggestions for Improvements. Please forward all comments on deficiencies, clarifications, or improvements regarding the contents of this order to the FAA Directive Feedback System at <https://ksn2.faa.gov/avs/dfs/Pages/Home.aspx>. FAA Form 1320-19, *Directive Feedback Information*, is located in Appendix C of this order for your convenience.

6. Records Management. Refer to FAA Order 0000.1, *FAA Standard Subject Classification System*; FAA Order 1350.14, *Records Management*; or your office Records Management Officer (RMO) or Directives Management Officer (DMO) for guidance regarding retention or disposition of records.

Appendix A. Definitions

1. Acceptance – The process by which the Aviation Safety (AVS) Voluntary Safety Reporting Program (VSRP) Event Review Team (ERT) determines that a VSRP report meets program requirements, receives it into the VSRP for the relevant safety data contained therein, and provides the protective provisions of the program.

2. Aviation-Safety-Related Issue or Concern – Any issue that can have a potentially negative impact on aviation safety, including, but not limited to, issues concerning aircraft operations, maintenance, repair, manufacturing, aerospace medicine, cabin safety, and avionics. This includes situations or conditions that could contribute to an unsafe condition. These may be local, regional, national, or international issues that deal with policies, procedures, or publications that are related to aviation safety, and where FAA can affect positive change.

3. Consensus – Unanimous or general agreement and the process to reach that status. Conceptually, consensus is related to cooperation—the process of working or acting together. For the AVS VSRP, consensus refers to the voluntary agreement of all appropriate members of the ERT to a particular outcome.

4. Corrective Action – Action to eliminate or mitigate the cause or reduce the effects of a detected nonconformity, noncompliance, or other undesirable situation. (As referred to in FAA Order VS 8000.367 as amended.)

5. Data Request – A written request for information from the AVS VSRP.

6. Event Review Team (ERT) – The ERT reviews and analyzes submitted confidential reports to determine acceptability of the report under the AVS VSRP requirements, to identify actual or potential aviation-safety-related issues or concerns of accepted reports, and to ensure the appropriate corrective action is taken and implemented for resolution when appropriate. The ERT is made up of an equal number of management and union members, with alternates for each member.

7. Executive Board (EB) – The EB will provide AVS VSRP organizational support, including resolution of disagreements within the ERT as well as between the ERT and the OPR. The EB is made of members of the AVS Management Team (AVSMT) and leadership from each participating union.

8. Information Request – Information requests are for gathering additional data and do not require corrective action.

9. Initiator – An AVS employee who submits an AVS VSRP report.

10. Intentional Falsification – As related to the acceptance criteria described in Chapter 1, paragraph 13, intentional falsification is a false statement of a material fact (i.e., a fact that has

the natural tendency to influence or is capable of influencing an agency decision) that is made with knowledge of the falsity.

11. Likelihood – The estimated probability or frequency, in quantitative or qualitative terms, of a hazard’s effect or outcome. (As referred to in FAA Order 8040.4 as amended.)

12. Office of Primary Responsibility (OPR) – The FAA organization that manages and tracks the aviation-safety-related issue, concern, or resultant corrective action change through closure, in collaboration with the appropriate union, when applicable.

13. Protective Provisions – The reporting incentives in this order, reflected in the applicable Memoranda of Understanding (MOUs), ensure a non-punitive environment in connection with accepted reports of aviation-safety-related issues or concerns.

14. Risk – The composite of predicted severity and likelihood of the potential effect of a hazard. (As referred to in FAA Order 8040.4 as amended.)

15. Severity – The consequence or impact of a hazard’s effect or outcome in terms of degree of loss or harm. (As referred to in FAA Order 8040.4 as amended.)

16. Systemic Issue – A pervasive deficiency involving procedures, processes, training, culture, etc.

17. VSRP Manager – The person serving as the focal point for program administration, including but not limited to: recording and acknowledging receipt of reports; maintaining the AVS VSRP database; providing information about, and responding to, inquiries concerning the status of AVS VSRP reports; and coordinating and tracking of ERT corrective action recommendations.

18. VSRP Reports – A confidential written account of an aviation-safety-related issue or concern reported through the AVS VSRP.

Appendix C. Directive Feedback Information

Please submit any written comments or recommendation for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Order VS 8000.375, Aviation Safety (AVS) Voluntary Safety Reporting Program

To: AVS Directives Management Officer

Please mark all appropriate line items:

An error (procedural or typographical) has been noted in paragraph _____ on page _____.

Recommend paragraph _____ on page _____ be changed as follows:

In a future change to this order, please cover the following subject:
(Briefly describe what you want added.)

Other comments:

I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

Telephone Number: _____ Routing Symbol: _____