

Cellular Telephones and Driving

Goal

The goal of this training program is to provide information for employers regarding the hazards of using cellular telephones or other similar devices, while driving and to provide information regarding implementing a cellular telephone use policy.

Objective

The employer will be provided the information to develop a cellular telephone use policy to protect the employee and company.

Background

The use of cellular telephones plays an integral role in our society. According to the Cellular Telecommunications & Internet Association the number of people who use cellular telephones has increased from 4.3 million in 1990 to 175 million as of January 2005. Increased use of cellular telephones has led to a rise in the number of people who use them while driving.

There are two dangers associated with using a cellular telephone while driving. First, drivers must take their eyes off the road while dialing. Second, people can become so absorbed in their conversations that they are distracted, jeopardizing their safety and the safety of passengers, pedestrians and other drivers. Yet the hazard posed with cellular telephone conversations while driving may even increase by the use of hands-free sets.

Purpose

Cellular Telephone Use Policy

So what is an employer to do? First, develop a policy regarding use of cellular telephones by employees, and second, enforce it. Having a policy with no attempt to enforce it is worse than having no policy at all.

The key is to have a policy that prohibits using cellular telephones in any way that violates federal, state, or local laws or that is otherwise unsafe. Employers must

develop a policy that ensures employee safety.

An employer's policy should recognize the need for some flexibility, but more important, employers must convey the message that the policy ensures employee safety. Safe use of cellular telephones does not necessarily preclude efficient operations or reduced productivity. Rather, it requires

following common sense principles of safe driving. Create a policy that works. Develop a policy that is practical, legal, and reflects the organization's risk tolerance. Some companies no longer provide cellular telephones and refuse to reimburse drivers for cellular telephone-related expenses. Others permit or provide cellular telephones, but very clearly specify how and when they may be used. If a policy allows cellular telephone use in emergency situations, be sure to define what constitutes an "emergency."

Reinforce the policy. Provide all new hires with a copy of the cellular telephone use policy and review it in detail during their orientation. Cover safe cellular telephone use in all driver-training programs and in periodic reminders, such as in an employee newsletter.

Inform drivers. Ensure that drivers understand the reason for the cellular telephone policy-including the increased odds of an accident, the potential liability for the company, and the possibility of personal injuries or fatalities. Outline the ways in which cellular telephones pose these risks, so drivers will understand how to reduce their odds of an accident.

The following are some policies for employers to consider when developing a Cellular Telephone or Other Similar Equipment Use Policy.

- Prohibit the use of a cellular telephone by a driver while the vehicle is in motion.
- Ban cellular telephone use while operating company-owned vehicles, while operating a personal vehicle while conducting company business, while using a phone furnished, or required by the firm while operating any vehicle.



- Remind drivers to use cellular telephones carefully while operating a vehicle; requesting that, if possible, employees pull off the road before initiating a cellular telephone call and, if not possible, keeping all calls as short as possible and trying to avoid allowing the phone conversation to distract the driver from traffic conditions, driving, and other drivers.
- Recommend or require the use of hands-free devices for cellular telephones.
- State that the primary function of the driver is to drive the vehicle; should additional tasks be necessary, they should be handled by a passenger/co-worker or the vehicle should be stopped in a safe place prior to undertaking any additional tasks, which may inhibit safe operation of the company vehicle.
- State that employees who are charged with traffic violations resulting from the use of their cellular telephones while driving will be responsible for all penalties that result from such actions, whether on a personal or business cellular telephone.
- Instruct drivers to forward calls to voice mail while driving, to avoid being distracted by an incoming call.

An employer cellular telephone use policy should explain the potential consequences and be outlined in

the general employment policy or employee handbook. Employees should sign an acknowledgement and agree to comply with its terms and conditions.

The following is a sample of a cellular telephone and equipment template policy that can be modified to use by your company:

Cellular Telephone and Equipment Policy for Those Driving

The _____ (Company's) policy is that cellular telephones and other electronic devices shall not be used while driving or at times when such use might be distracting to the user or otherwise cause a dangerous situation. Everyone should ensure that use of a cellular phone or other device does not interfere with safe performance of the job task being performed or the operation of any motor vehicle or mobile equipment. As an employee, I understand that failure to comply with this policy could result in corrective action up to and including termination.

Employee Acknowledgement:

Date:

Supervisor Acknowledgement:

Review Questions:

1. What are the two dangers of operating a cellular telephone while operating a vehicle?
2. What the reasons to inform drivers of the risks of operating a cellular telephone while operating a vehicle?
3. When should the employer notify the employee of the cellular telephone use policy?

Answers:

1. First, drivers must take their eyes off the road while dialing. Second, people can become so absorbed in their conversations that they are distracted, jeopardizing their safety and the safety of passengers, pedestrians and other drivers.
2. Ensure that drivers understand the reason for the cellular telephone policy-including the increased odds of an accident, the potential liability for the company, and the possibility of personal injuries or fatalities.
3. Provide all new hires with a copy of the cellular telephone use policy and review it in detail

during their orientation. Cover safe cellular telephone use in all driver-training programs and in periodic reminders, such as in an employee newsletter.

For more information on driving distractions the Texas Workers' Compensation Commission has publications available at www.twcc.state.tx.us under "Safety Resources":

- Driving Distractions Fact Sheet
- How Risky is Your Driving? Fact Sheet
- Safe Driving (English and Spanish) Take 5 For Safety
- Staying Alert and Fit to Drive Safety Training Program

Remember to practice safety; don't learn it by accident.

This fact sheet was published with information from the National Safety Council, the Information Insurance Institute, and the Texas Department of Insurance, Division of Workers' Compensation and is considered factual at the time of development.

Resources

The Texas Department of Insurance, Division of Workers' Compensation (TDI/DWC) Resource Center offers a workers' health and safety video tape library. Call (512) 804-4620 for more information or visit our web site at www.tdi.state.tx.us.

Disclaimer: Information contained in this training program is considered accurate at time of publication.