



Safe Use of Cell Phones

Purpose:

This policy outlines the safe use of cell phones at work, the safe use of cell phones by employees while driving or on a work site.

Drivers may use hand-held devices to call 9-1-1

Scope:

This policy applies to all City of Cornwall employees.

Use of Personal Cell Phones:

Safety must come before all other concerns. Using cell phones during work hours can interfere with employee productivity and be distracting to the point of an unsafe work situation. The Corporation will generally expect its employees to use their cell phones prudently during working hours. We want to remind them that excessive use of their cell phone for non-business purposes will mean a decline in their efficiency. It is therefore, to the benefit of all too consciously restrict their personal use of cell phones.

Cell Phones and Driving:

Safety must come before all other concerns. **Unless the Corporation has supplied a hands-free device, cell phones shall not be utilized while operating Corporate vehicles or equipment.**

- Allow voicemail or a passenger to handle calls when possible.
- Unless the employee with access to a corporate cell phone has a voice activated hands free device, employees are to pull off to the side of the road and safely stop the vehicle or turn off equipment before placing a call.
- The law and this policy makes it illegal for drivers to talk, text, type, dial or email using hand-held cell phones and other hand-held communications and entertainment devices.
- The law and this policy also prohibits drivers from viewing display screens unrelated to the driving task, such as laptops or DVD players, reading maps or other material, grooming activities, eating or drinking while driving.

'Hands-free' use means that apart from activating or deactivating the device, it is not held during use and the driver is not physically interacting with or manipulating the device.

When accepting a call while driving:

- Keep your call brief
- Use a hands free device
- Do not take notes, text message or e-mail while driving
- Keep eyes and attention on the road and both hands free to operate the vehicle

Special care should be taken in situations;

- When there is moderate to heavy traffic
- Inclement weather
- Driving in an unfamiliar area

In situations where employees with Corporate cell phones drive and accept calls, Ontario Law, as well as this policy, requires the use of a hands free device.

- Under no circumstances are employees allowed to place themselves at risk to fulfill Corporate needs.
- Employees who are charged with traffic violations resulting from the use of their personal or Corporate cell phone or other devices while driving will be solely responsible for all liabilities that result from such actions.

The City of Cornwall shall not be liable for the loss, damage, theft or operational cost associated with personal cell phones or other devices brought into the work place. Employees are not permitted to use personal cell phones in place of Corporate provided radios.

Responsibilities of Management and Staff:

As with any policy, management and staff are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

Fines and Penalties:

If convicted of distracted driving, a fully licenced driver (holder of Class A, B, C, D, E, F, G) or a hybrid driver (holder of a full-class licence and a novice licence such as Class G and M1) will receive:

- a fine of \$400, plus a victim surcharge and court fee, for a total of \$490 if settled out of court
- fine of up to \$1,000 if you receive a summons or fight your ticket
- three demerit points applied to your driver's record

Note: If you endanger others because of any distraction, including both hand-held and hands-free devices, you can also be charged with careless driving. If convicted, you will automatically receive:

- six demerit points
- fines up to \$2,000 and/or
- a jail term of six months
- up to two-year licence suspension

You can even be charged with dangerous driving (a criminal offence), with jail terms of up to five years.

Violations of this policy and the law shall be subject to discipline, up to and including termination of employment.

This policy is subject to change at any time.