



Unified Government Human Resources Guide

Effective 7-13-12

USE OF CELL PHONES OR ELECTRONIC DEVICES WHILE DRIVING

- I. General: For safety reasons, employees are prohibited from using a business or personal cell phone or other portable electronic device while driving a vehicle during the workday or on Unified Government business, except as provided in this policy.
- II. Definition
 - A. “Portable electronic device” means any business or personal cellular phone or other portable electronic device that can be used for making or receiving calls or for reading, viewing, creating, typing, editing, or sending text messages, emails, or other content. “Portable electronic device” does not include two-way radios furnished by the Unified Government and used to conduct Unified Government business.
- III. Policy
 - A. Employees are prohibited from answering or making non-essential calls on a business or personal cell phone or other portable electronic device while driving during the workday or on Unified Government business. A non-essential call is a call that is not urgent and that can be returned or made later. Employees should let non-essential calls received while driving go to voicemail.
 - B. An employee who must answer or make an essential call (an urgent call that the employee cannot reasonably return or make later) on a business or personal cell phone or other portable electronic device while driving during the workday or on Unified Government business must pull off the road and stop the vehicle before accepting or placing the call, if the employee can safely do so. If the employee cannot safely pull off the road and stop, the employee may answer or make an essential call while driving, but only if the employee does the following:
 1. Uses hands-free equipment;
 2. Uses the voice-activated or “speed dial” feature (if placing the call);
 3. Keeps the call short;
 4. Does not type or take notes during the call;
 5. Refrains from discussing complicated or emotional issues and keeps eyes and attention on the road; and
 6. Keeps both hands free to operate the vehicle.



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- C. Employees are prohibited from reading, viewing, creating, typing, editing, or sending text messages, emails, or other content on a business or personal cell phone or other portable electronic device while driving during the workday or on Unified Government business.
- D. Employees who are charged with traffic violations resulting from the use of a cell phone or other portable electronic device while driving will be solely responsible for paying any fines or costs levied.
- E. Supervisors are responsible for serving as role models for proper compliance with this policy and are encouraged to remind employees regularly of their responsibility to comply with this policy.
- F. Employees who violate this policy will be disciplined, up to and including termination.
- G. This policy is not intended to interfere with the use of cell phones or other portable electronic devices by law enforcement officers, firefighters, or other emergency personnel in the performance of their duties.
- H. This policy is intended to establish minimum standards for Unified Government employees. Departments may establish stricter rules or specific disciplinary consequences for employees' use of cell phones or other portable electronic devices while driving or may prohibit employees from carrying cell phones or other portable electronic devices while driving, if they deem it in the Unified Government's or the public's interest to do so.