



RURAL MUNICIPALITY OF ST. ANDREWS POLICY AND PROCEDURES MANUAL

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CELLULAR PHONE USAGE POLICY

The Rural Municipality of St. Andrews recognizes that our employees are our most valuable asset, and important contributors to our continued growth and success. The Municipality is firmly committed to the safety of our employees, residents and the general public and will endeavor to prevent workplace accidents by providing a safe working environment for all employees. In addition current legislation in the Province of Manitoba; Bill 5 of *The Highway Traffic Amendment Act*, Section 215.1 (2) has followed other jurisdictions in Canada and has banned the use of hand-held phones while operating a vehicle.

To further this goal of protecting workers, residents and the public while responding to current legislation, the Rural Municipality of St Andrews has developed a **Cellular Phone Usage Policy** effective this 24th day of March 2010.

Purpose

Driver inattention is a factor in a majority of motor vehicle accidents. The Rural Municipality of St. Andrews is concerned about the welfare of municipal employees and the welfare of others who could be put in harm's way by inattentive driving. In addition, the purpose of this policy is to outline cellular phone usage parameters within the workplace.

Scope

This Cellular Phone Usage Policy applies to cellular phone usage as well as to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to e-mail whether the device is supplied by the Municipality or is personally owned. This policy does not apply to VHF radios or Fleetnet radios.

Definitions

Cellular Phones: refers to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to email.

Use While in a Vehicle or Motorized Equipment

An employee who uses a vehicle or motorized equipment supplied by the Municipality is prohibited from using a cellular phone, **hands on or hands off**, or similar device while driving, whether the business conducted is personal or work-related. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to e-mail, checking for phone messages, or any other purpose related to your employment, the business, our customers, our vendors, volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the Municipality, or any other work or personally related activities not named here while driving.

Furthermore, the Rural Municipality of St Andrews prohibits employee use of personal cellular phones, either hands on or hands free, or similar devices, for business purposes related in any way to the Municipality while driving a personally owned vehicle, and would strongly encourage employees to not use either hands on or hands free, or similar devices for any reason while in operation of a motor vehicle or motorized equipment.

When in operation of a motor vehicle or motorized equipment, the first responsibility is to pay attention to the road. When driving on business, or driving while conducting business on behalf of the Rural Municipality of St. Andrews in any other manner, the following applies:

- Allow voicemail to handle your calls and return them when safe.
- If you need to place or receive a call, pull off the road to a safe location and stop the vehicle or motorized equipment before using your phone.
- Ask a passenger to make or take the call.
- Inform regular callers of the best time to reach you based upon your driving schedule.
- The only exception to this policy is for calls placed to 9-1-1.
- If placing or accepting an emergency call, keep the call short and use hands-free options, if available.
- When receiving an emergency call, ask the caller to hold briefly until you can safely pull your vehicle or motorized vehicle off the road.

Exceptions

Several exemptions to this policy exists as the Municipality recognizes the immediate and unique nature of some employees' municipal functions, therefore this policy does not apply to emergency personnel including the driver of an ambulance, fire department vehicle, first responder vehicle or police department vehicle, while responding to an emergency.

Cellular Phones or Similar Devices in the Workplace

The Municipality is aware that employees utilize their personal or work-supplied cellular phones for business purposes. At the same time, cellular phones are a distraction in the workplace. To ensure minimal distraction in the workplace and to improve the effectiveness of meetings, presentations and training sessions employees are asked to leave cellular phones at their desk in the silent mode unless their duties require the phone to accompany the individual, the ringer be left on, or, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, the cellular phone may be carried to the meeting or left on a desk on vibrate mode.

Personal Cellular Phone Usage at Work

Employees are allowed to bring their personal cellular phones or similar devices to work but are expected to keep personal conversations to a minimum. Employees must turn ringers off on cellular phones during working hours.

Use of Camera Phones

Camera phones can create a risk to compromising information protected by privacy legislation. The use of camera phones is strictly prohibited in areas identified as employee private areas and is discouraged during working hours in general.

Penalty

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination. Employees may also be subject to penalties set out in *The Highway Traffic Act*.

First Notice - Written Notice

- Inform employee that performance is not acceptable.
- Review the reasons for substandard performance.
- Emphasize the consequences of continued substandard performance.
- Copy of written warning will be entered into the employee's personnel file.

Second Notice - Suspension

- Suspension will be from 1-3 days without pay at the discretion of management.
- Management to inform employee that if performance is not improved, any further problem will result in termination.
- Copy of written warning will be entered into the employee's personnel file.

Third Notice - Termination

- Employee to be terminated by resolution of Council.
- Letter of termination to be provided to employee and a copy to be entered into employee's personnel file with a copy to the union.

Accident in a Municipal Vehicle or Motorized Equipment While Using Cellular Phone

- Employee to be immediately terminated by resolution of Council.
- Letter of termination to be provided to employee and a copy to be entered into employee's personnel file with a copy to the union.